

PART 70 OPERATING PERMIT

OFFICE OF AIR MANAGEMENT

Mulzer Crushed Stone, Inc.

(herein known as the Permittee) is hereby authorized to operate subject to the conditions contained herein, the source described in Section A (Source Summary) of this permit.

This permit is issued in accordance with 326 IAC 2 and 40 CFR Part 70 Appendix A and contains the conditions and provisions specified in 326 IAC 2-7 as required by 42 U.S.C. 7401, et. seq. (Clean Air Act as amended by the 1990 Clean Air Act Amendments), 40 CFR Part 70.6, IC 13-15 and IC 13-17.

Operation Permit No.: T 025-10885-05199	
Issued by: Janet G. McCabe, Assistant Commissioner Office of Air Management	Issuance Date:

TABLE OF CONTENTS

A	SOURCE SUMMARY	4
A.1	General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]	
A.2	Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)]	
A.3	Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]	
A.4	Part 70 Permit Applicability [326 IAC 2-7-2]	
B	GENERAL CONDITIONS	6
B.1	Permit No Defense [IC 13]	
B.2	Definitions [326 IAC 2-7-1]	
B.3	Permit Term [326 IAC 2-7-5(2)]	
B.4	Enforceability [326 IAC 2-7-7(a)]	
B.5	Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]	
B.6	Severability [326 IAC 2-7-5(5)]	
B.7	Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]	
B.8	Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]	
B.9	Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]	
B.10	Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]	
B.11	Annual Compliance Certification [326 IAC 2-7-6(5)]	
B.12	Preventive Maintenance Plan [326 IAC 2-7-5(1),(3)and (13)][326 IAC 2-7-6(1)and(6)]	
B.13	Emergency Provisions [326 IAC 2-7-16]	
B.14	Permit Shield [326 IAC 2-7-15]	
B.15	Multiple Exceedances [326 IAC 2-7-5(1)(E)]	
B.16	Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]	
B.17	Permit Modification, Reopening, Revocation and Reissuance, or Termination	
B.18	Permit Renewal [326 IAC 2-7-4]	
B.19	Permit Amendment or Modification [326 IAC 2-7-11][326 IAC 2-7-12]	
B.20	Permit Revision Under Economic Incentives and Other Programs	
B.21	Operational Flexibility [326 IAC 2-7-20]	
B.22	Construction Permit Requirement [326 IAC 2]	
B.23	Inspection and Entry [326 IAC 2-7-6(2)]	
B.24	Transfer of Ownership or Operation [326 IAC 2-7-11]	
B.25	Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]	
C	SOURCE OPERATION CONDITIONS	18
	Emission Limitations and Standards [326 IAC 2-7-5(1)]	
C.1	Opacity [326 IAC 5-1]	
C.2	Open Burning [326 IAC 4-1] [IC 13-17-9]	
C.3	Incineration [326 IAC 4-2] [326 IAC 9-1-2]	
C.4	Fugitive Dust Emissions [326 IAC 6-4]	
C.5	Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]	
C.6	Operation of Equipment [326 IAC 2-7-6(6)]	
C.7	Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]	
	Testing Requirements [326 IAC 2-7-6(1)]	
C.8	Performance Testing [326 IAC 3-6]	

Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]

- C.9 Compliance Schedule [326 IAC 2-7-6(3)]
- C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]
- C.11 Monitoring Methods [326 IAC 3]

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

- C.12 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]
- C.13 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]
- C.14 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5]
- C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5]

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

- C.16 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)]
- C.17 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]
- C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)]
- C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

Portable Source Requirement

- C.20 Relocation of Portable Sources [326 IAC 2-14-4]

Stratospheric Ozone Protection

- C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

D.1 FACILITY OPERATION CONDITIONS - Portable Plant 2 28

Emission Limitations and Standards [326 IAC 2-7-5(1)]

- D.1.1 Particulate Matter (PM) [326 IAC 6-1]
- D.1.2 Emission Offset [326 IAC 2-3]
- D.1.3 Opacity [40 CFR 60.670 - 676, Subpart OOO]
- D.1.4 Fuel Use Limitation [326 IAC 2-3]
- D.1.5 Nonfugitive Emission
- D.1.6 Preventive Maintenance Plan [326 IAC 2-7-5(13)]

Compliance Determination Requirements

- D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)][326 IAC 2-1.1-11][NSPS Subpart OOO]

Compliance Monitoring Requirements [326 IAC 2-7-6(1)] [326 IAC 2-7-5(1)]

- D.1.8 Visible Emissions Notations

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

- D.1.9 Record Keeping Requirements
- D.1.10 Reporting Requirements

Certification 31

Emergency/Deviation Occurrence Report 32

Monthly Report 34

Quarterly Compliance Monitoring Report 35

SECTION A

SOURCE SUMMARY

This permit is based on information requested by the Indiana Department of Environmental Management (IDEM), Office of Air Management (OAM). The information describing the source contained in conditions A.1 through A.3 is descriptive information and does not constitute enforceable conditions. However, the Permittee should be aware that a physical change or a change in the method of operation that may render this descriptive information obsolete or inaccurate may trigger requirements for the Permittee to obtain additional permits or seek modification of this permit pursuant to 326 IAC 2, or change other applicable requirements presented in the permit application.

A.1 General Information [326 IAC 2-7-4(c)] [326 IAC 2-7-5(15)]

The Permittee owns and operates a portable limestone crushing and processing plant.

Responsible Official:	James Mulzer
Source Address:	RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137
Mailing Address:	P.O. Box 249, Tell City, Indiana 47586
Phone Number:	(812) 547-7921
SIC Code:	1422
County Location:	Crawford
County Status:	Attainment for all criteria pollutants
Source Status:	Part 70 Permit Program
	Minor Source, under Emission Offset Rules; (portable plant only)
	Minor Source, Section 112 of the Clean Air Act

A.2 Emission Units and Pollution Control Equipment Summary [326 IAC 2-7-4(c)(3)] [326 IAC 2-7-5(15)]

This portable plant consists of the following emission units and pollution control devices:

- (a) One (1) feed hopper, one (1) feed belt and one (1) surge bin installed in 1998.
- (b) One (1) feeder, known as AK 1403, installed in 1998, capacity 390 tons of limestone per hour.
- (c) One (1) secondary crusher, known as AI 1402, installed in 1998, capacity 390 tons of limestone per hour.
- (d) One (1) screen, known as AK 1404, installed in 1998, capacity 390 tons of limestone per hour.
- (e) Three (3) stackers, known as LP-TP-3, installed in 1998, capacity: 300 tons of limestone per hour, each.
- (f) Four (4) conveyors, known as LP-TP-1, installed in 1998, capacity: 390 tons of limestone per hour, each
- (g) One (1) No. 2 fuel oil-fired intermittent electric generator, known as EU AG 1402, rated at 7.4 million British thermal units per hour.
- (h) Six (6) conveyors, known as LP-TP-2, installed in 1998, capacity: 300 tons of limestone per hour, each.

A.3 Specifically Regulated Insignificant Activities [326 IAC 2-7-1(21)] [326 IAC 2-7-4(c)]
[326 IAC 2-7-5(15)]

This portable source does not currently have any insignificant activities, as defined in 326 IAC 2-7-1 (21) that have applicable requirements.

A.4 Part 70 Permit Applicability [326 IAC 2-7-2]

This portable source is required to have a Part 70 permit by 326 IAC 2-7-2 (Applicability) because:

- (a) It is a major source, as defined in 326 IAC 2-7-1(22);
- (b) It is a source in a source category designated by the United States Environmental Protection Agency (U.S. EPA) under 40 CFR 70.3 (Part 70 - Applicability).

SECTION B

GENERAL CONDITIONS

B.1 Permit No Defense [IC 13]

- (a) Indiana statutes from IC 13 and rules from 326 IAC, quoted in conditions in this permit, are those applicable at the time the permit was issued. The issuance or possession of this permit shall not alone constitute a defense against an alleged violation of any law, regulation or standard, except for the requirement to obtain a Part 70 permit under 326 IAC 2-7.
- (b) This prohibition shall not apply to alleged violations of applicable requirements for which the Commissioner has granted a permit shield in accordance with 326 IAC 2-7-15, as set out in this permit in the Section B condition entitled "Permit Shield."

B.2 Definitions [326 IAC 2-7-1]

Terms in this permit shall have the definition assigned to such terms in the referenced regulation. In the absence of definitions in the referenced regulation, any applicable definitions found in IC 13-11, 326 IAC 1-2 and 326 IAC 2-7 shall prevail.

B.3 Permit Term [326 IAC 2-7-5(2)]

This permit is issued for a fixed term of five (5) years from the effective date, as determined in accordance with IC 4-21.5-3-5(f) and IC 13-15-5-3.

B.4 Enforceability [326 IAC 2-7-7(a)]

- (a) All terms and conditions in this permit, including any provisions designed to limit the source's potential to emit, are enforceable by IDEM.
- (b) Unless otherwise stated, terms and conditions of this permit, including any provisions to limit the source's potential to emit, are enforceable by the United States Environmental Protection Agency (U.S. EPA) and citizens under the Clean Air Act.

B.5 Termination of Right to Operate [326 IAC 2-7-10] [326 IAC 2-7-4(a)]

The Permittee's right to operate this source terminates with the expiration of this permit unless a timely and complete renewal application is submitted at least nine (9) months prior to the date of expiration of the source's existing permit, consistent with 326 IAC 2-7-3 and 326 IAC 2-7-4(a).

B.6 Severability [326 IAC 2-7-5(5)]

The provisions of this permit are severable; a determination that any portion of this permit is invalid shall not affect the validity of the remainder of the permit.

B.7 Property Rights or Exclusive Privilege [326 IAC 2-7-5(6)(D)]

This permit does not convey any property rights of any sort, or any exclusive privilege.

B.8 Duty to Supplement and Provide Information [326 IAC 2-7-4(b)] [326 IAC 2-7-5(6)(E)]

- (a) The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall furnish to IDEM, OAM, within a reasonable time, any information that IDEM, OAM, may request in writing to determine whether cause exists for modifying, revok-

ing and reissuing, or terminating this permit, or to determine compliance with this permit.

- (c) Upon request, the Permittee shall also furnish to IDEM, OAM, copies of records required to be kept by this permit. If the Permittee wishes to assert a claim of confidentiality over any of the furnished records, the Permittee must furnish such records to IDEM, OAM, along with a claim of confidentiality under 326 IAC 17. If requested by IDEM, OAM, or the U.S. EPA, to furnish copies of requested records directly to U. S. EPA, and if the Permittee is making a claim of confidentiality regarding the furnished records, then the Permittee must furnish such confidential records directly to the U.S. EPA along with a claim of confidentiality under 40 CFR 2, Subpart B.

B.9 Compliance with Permit Conditions [326 IAC 2-7-5(6)(A)] [326 IAC 2-7-5(6)(B)]

- (a) The Permittee must comply with all conditions of this permit. Noncompliance with any provisions of this permit, except those specifically designated as not federally enforceable, constitutes a violation of the Clean Air Act and is grounds for:
 - (1) Enforcement action;
 - (2) Permit termination, revocation and reissuance, or modification; or
 - (3) Denial of a permit renewal application.
- (b) It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

B.10 Certification [326 IAC 2-7-4(f)] [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)(C)]

- (a) Where specifically designated by this permit or required by an applicable requirement, any application form, report, or compliance certification submitted under this permit shall contain certification by a responsible official of truth, accuracy, and completeness. This certification, shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.
- (b) One (1) certification shall be included, on the attached Certification Form, with each submittal.
- (c) A responsible official is defined at 326 IAC 2-7-1(34).

B.11 Annual Compliance Certification [326 IAC 2-7-6(5)]

- (a) The Permittee shall annually submit a compliance certification report which addresses the status of the source's compliance with the terms and conditions contained in this permit, including emission limitations, standards, or work practices. The certification shall cover the time period from January 1 to December 31 of the previous year, and shall be submitted in letter form no later than July 1 of each year to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Air Enforcement Branch - Indiana (AE-17J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

- (b) The annual compliance certification report required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
- (c) The annual compliance certification report shall include the following:
 - (1) The identification of each term or condition of this permit that is the basis of the certification;
 - (2) The compliance status;
 - (3) Whether compliance was based on continuous or intermittent data;
 - (4) The methods used for determining compliance of the source, currently and over the reporting period consistent with 326 IAC 2-7-5(3); and
 - (5) Such other facts, as specified in Sections D of this permit, as IDEM, OAM, may require to determine the compliance status of the source.

The submittal by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

B.12 Preventive Maintenance Plan [326 IAC 2-7-5(1),(3) and (13)] [326 IAC 2-7-6(1) and (6)]
[326 IAC 1-6-3]

- (a) If required by specific condition(s) in Section D of this permit, the Permittee shall prepare and maintain Preventive Maintenance Plans (PMP) within ninety (90) days after issuance of this permit, including the following information on each facility:
 - (1) Identification of the individual(s) responsible for inspecting, maintaining, and repairing emission control devices;
 - (2) A description of the items or conditions that will be inspected and the inspection schedule for said items or conditions;
 - (3) Identification and quantification of the replacement parts that will be maintained in inventory for quick replacement.

If due to circumstances beyond its control, the PMP cannot be prepared and maintained within the above time frame, the Permittee may extend the date an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

- (b) The Permittee shall implement the Preventive Maintenance Plans as necessary to ensure that failure to implement the Preventive Maintenance Plan does not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (c) PMP's shall be submitted to IDEM, OAM, upon request and shall be subject to review and approval by IDEM, OAM. IDEM, OAM, may require the Permittee to revise its Preventive Maintenance Plan whenever lack of proper maintenance causes or contributes to any violation.

B.13 Emergency Provisions [326 IAC 2-7-16]

- (a) An emergency, as defined in 326 IAC 2-7-1(12), is not an affirmative defense for an action brought for noncompliance with a federal or state health-based emission limitation, except as provided in 326 IAC 2-7-16.
- (b) An emergency, as defined in 326 IAC 2-7-1(12), constitutes an affirmative defense to an action brought for noncompliance with a health-based or technology-based emission limitation if the affirmative defense of an emergency is demonstrated through properly signed, contemporaneous operating logs or other relevant evidence that describe the following:

- (1) An emergency occurred and the Permittee can, to the extent possible, identify the causes of the emergency;
- (2) The permitted facility was at the time being properly operated;
- (3) During the period of an emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in this permit;
- (4) For each emergency lasting one (1) hour or more, the Permittee notified IDEM, OAM, within four (4) daytime business hours after the beginning of the emergency, or after the emergency was discovered or reasonably should have been discovered;

Telephone Number: 1-800-451-6027 (ask for Office of Air Management, Compliance Section), or

Telephone Number: 317-233-5674 (ask for Compliance Section)
Facsimile Number: 317-233-5967

- (5) For each emergency lasting one (1) hour or more, the Permittee submitted notice, either in writing or facsimile, of the emergency to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

within two (2) working days of the time when emission limitations were exceeded due to the emergency.

The notice fulfills the requirement of 326 IAC 2-7-5(3)(C)(ii) and must contain the following:

- (A) A description of the emergency;
- (B) Any steps taken to mitigate the emissions; and
- (C) Corrective actions taken.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (6) The Permittee immediately took all reasonable steps to correct the emergency.
- (c) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
- (d) This emergency provision supersedes 326 IAC 1-6 (Malfunctions) for sources subject to this rule after the effective date of this rule. This permit condition is in addition to any emergency or upset provision contained in any applicable requirement.
- (e) IDEM, OAM, may require that the Preventive Maintenance Plans required under 326 IAC 2-7-4-(c)(10) be revised in response to an emergency.
- (f) Failure to notify IDEM, OAM, by telephone or facsimile of an emergency lasting more than one (1) hour in compliance with (b)(4) and (5) of this condition shall constitute a violation of 326 IAC 2-7 and any other applicable rules.
- (g) Operations may continue during an emergency only if the following conditions are met:
 - (1) If the emergency situation causes a deviation from a technology-based limit, the Permittee may continue to operate the affected emitting facilities during the emergency provided the Permittee immediately takes all reasonable steps to correct the emergency and minimize emissions.
 - (2) If an emergency situation causes a deviation from a health-based limit, the Permittee may not continue to operate the affected emissions facilities unless:
 - (A) The Permittee immediately takes all reasonable steps to correct the emergency situation and to minimize emissions; and
 - (B) Continued operation of the facilities is necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value.

Any operation shall continue no longer than the minimum time required to prevent the situations identified in (g)(2)(B) of this condition.

B.14 Permit Shield [326 IAC 2-7-15]

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- (a) This condition provides a permit shield as addressed in 326 IAC 2-7-15.
 - (b) This permit shall be used as the primary document for determining compliance with applicable requirements established by previously issued permits. Compliance with the conditions of this permit shall be deemed in compliance with any applicable requirements as of the date of permit issuance, provided that:

- (1) The applicable requirements are included and specifically identified in this permit; or
 - (2) The permit contains an explicit determination or concise summary of a determination that other specifically identified requirements are not applicable.
- (c) If, after issuance of this permit, it is determined that the permit is in nonconformance with an applicable requirement that applied to the source on the date of permit issuance, including any term or condition from a previously issued construction or operation permit, IDEM, OAM, shall immediately take steps to reopen and revise this permit and issue a compliance order to the Permittee to ensure expeditious compliance with the applicable requirement until the permit is reissued. The permit shield shall continue in effect so long as the Permittee is in compliance with the compliance order.
- (d) No permit shield shall apply to any permit term or condition that is determined after issuance of this permit to have been based on erroneous information supplied in the permit application. Erroneous information means information that the Permittee knew to be false, or in the exercise of reasonable care should have been known to be false, at the time the information was submitted.
- (e) Nothing in 326 IAC 2-7-15 or in this permit shall alter or affect the following:
- (1) The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the U.S. EPA under Section 303 of the Clean Air Act;
 - (2) The liability of the Permittee for any violation of applicable requirements prior to or at the time of this permit's issuance;
 - (3) The applicable requirements of the acid rain program, consistent with Section 408 (a) of the Clean Air Act; and
 - (4) The ability of U.S. EPA to obtain information from the Permittee under Section 114 of the Clean Air Act.
- (f) This permit shield is not applicable to any change made under 326 IAC 2-7-20(b)(2) (Sections 502(b)(10) of the Clean Air Act changes) and 326 IAC 2-7-20(c)(2) (trading based on State Implementation Plan (SIP) provisions).
- (g) This permit shield is not applicable to modifications eligible for group processing until after IDEM, OAM, has issued the modifications. [326 IAC 2-7-12(c)(7)]
- (h) This permit shield is not applicable to minor Part 70 permit modifications until after IDEM, OAM, has issued the modification. [326 IAC 2-7-12(b)(7)]

B.15 Multiple Exceedances [326 IAC 2-7-5(1)(E)]

Any exceedance of a permit limitation or condition contained in this permit, which occurs contemporaneously with an exceedance of an associated surrogate or operating parameter established to detect or assure compliance with that limit or condition, both arising out of the same act or occurrence, shall constitute a single potential violation of this permit.

B.16 Deviations from Permit Requirements and Conditions [326 IAC 2-7-5(3)(C)(ii)]

- (a) Deviations from any permit requirements (for emergencies see Section B - Emergency Provisions), the probable cause of such deviations, and any response steps or preventive

measures taken shall be reported to:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

within ten (10) calendar days from the date of the discovery of the deviation.

- (b) A deviation is an exceedance of a permit limitation or a failure to comply with a requirement of the permit or a rule. It does not include:
- (1) An excursion from compliance monitoring parameters as identified in Section D of this permit unless tied to an applicable rule or limit; or
 - (2) An emergency as defined in 326 IAC 2-7-1(12); or
 - (3) Failure to implement elements of the Preventive Maintenance Plan unless such failure has caused or contributed to a deviation.
 - (4) Failure to make or record information required by the compliance monitoring provisions of Section D unless such failure exceeds 5% of the required data in any calendar quarter.
- A Permittee's failure to take the appropriate response step when an excursion of a compliance monitoring parameter has occurred is a deviation.
- (c) Written notification shall be submitted on the attached Emergency/Deviation Occurrence Reporting Form or its substantial equivalent. The notification does not need to be certified by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (d) Proper notice submittal under 326 IAC 2-7-16 satisfies the requirement of this subsection.

B.17 Permit Modification, Reopening, Revocation and Reissuance, or Termination [326 IAC 2-7-5(6)(C)] [326 IAC 2-7-8(a)] [326 IAC 2-7-9]

-
- (a) This permit may be modified, reopened, revoked and reissued, or terminated for cause. The filing of a request by the Permittee for a Part 70 permit modification, revocation and reissuance, or of a notification of planned changes or anticipated noncompliance does not stay any condition of this permit. [326 IAC 2-7-5(6)(C)]
- (b) This permit shall be reopened and revised under any of the circumstances listed in IC 13-15-7-2 or if IDEM, OAM, determines any of the following:
- (1) That this permit contains a material mistake.
 - (2) That inaccurate statements were made in establishing the emissions standards or other terms or conditions.
 - (3) That this permit must be revised or revoked to assure compliance with an applicable requirement. [326 IAC 2-7-9(a)(3)]
- (c) Proceedings by IDEM, OAM, to reopen and revise this permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of this permit for

which cause to reopen exists. Such reopening and revision shall be made as expeditiously as practicable. [326 IAC 2-7-9(b)]

- (d) The reopening and revision of this permit, under 326 IAC 2-7-9(a), shall not be initiated before notice of such intent is provided to the Permittee by IDEM, OAM, at least thirty (30) days in advance of the date this permit is to be reopened, except that IDEM, OAM, may provide a shorter time period in the case of an emergency. [326 IAC 2-7-9(c)]

B.18 Permit Renewal [326 IAC 2-7-4]

- (a) The application for renewal shall be submitted using the application form or forms prescribed by IDEM, OAM, and shall include the information specified in 326 IAC 2-7-4. Such information shall be included in the application for each emission unit at this source, except those emission units included on the trivial or insignificant activities list contained in 326 IAC 2-7-1(21) and 326 IAC 2-7-1(40).

Request for renewal shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

- (b) Timely Submittal of Permit Renewal [326 IAC 2-7-4(a)(1)(D)]
 - (1) A timely renewal application is one that is:
 - (A) Submitted at least nine (9) months prior to the date of the expiration of this permit; and
 - (B) If the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM, on or before the date it is due.
 - (2) If IDEM, OAM, upon receiving a timely and complete permit application, fails to issue or deny the permit renewal prior to the expiration date of this permit, this existing permit shall not expire and all terms and conditions shall continue in effect, including any permit shield provided in 326 IAC 2-7-15, until the renewal permit has been issued or denied.
- (c) Right to Operate After Application for Renewal [326 IAC 2-7-3]
If the Permittee submits a timely and complete application for renewal of this permit, the source's failure to have a permit is not a violation of 326 IAC 2-7 until IDEM, OAM, takes final action on the renewal application, except that this protection shall cease to apply if, subsequent to the completeness determination, the Permittee fails to submit by the deadline specified in writing by IDEM, OAM, any additional information identified as being needed to process the application.
- (d) United States Environmental Protection Agency Authority [326 IAC 2-7-8(e)]
If IDEM, OAM, fails to act in a timely way on a Part 70 permit renewal, the U.S. EPA may invoke its authority under Section 505(e) of the Clean Air Act to terminate or revoke and reissue a Part 70 permit.

B.19 Permit Amendment or Modification [326 IAC 2-7-11] [326 IAC 2-7-12]

(a) The Permittee must comply with the requirements of 326 IAC 2-7-11 or 326 IAC 2-7-12 whenever the Permittee seeks to amend or modify this permit.

(b) Any application requesting an amendment or modification of this permit shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

Any such application should be certified by the “responsible official” as defined by 326 IAC 2-7-1(34) only if a certification is required by the terms of the applicable rule.

(c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.20 Permit Revision Under Economic Incentives and Other Programs [326 IAC 2-7-5(8)] [326 IAC 2-7-12 (b)(2)]

(a) No Part 70 permit revision shall be required under any approved economic incentives, marketable Part 70 permits, emissions trading, and other similar programs or processes for changes that are provided for in a Part 70 permit.

(b) Notwithstanding 326 IAC 2-7-12(b)(1)(D)(i) and 326 IAC 2-7-12(c)(1), minor Part 70 permit modification procedures may be used for Part 70 modifications involving the use of economic incentives, marketable Part 70 permits, emissions trading, and other similar approaches to the extent that such minor Part 70 permit modification procedures are explicitly provided for in the applicable State Implementation Plan (SIP) or in applicable requirements promulgated or approved by the U.S. EPA.

B.21 Operational Flexibility [326 IAC 2-7-20]

(a) The Permittee may make any change or changes at the source that are described in 326 IAC 2-7-20(b), (c), or (e), without a prior permit revision, if each of the following conditions is met:

(1) The changes are not modifications under any provision of Title I of the Clean Air Act;

(2) Any approval required by 326 IAC 2-1.1 has been obtained;

(3) The changes do not result in emissions which exceed the emissions allowable under this permit (whether expressed herein as a rate of emissions or in terms of total emissions);

(4) The Permittee notifies the:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

and

United States Environmental Protection Agency, Region V
Air and Radiation Division, Regulation Development Branch - Indiana (AR-18J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

in advance of the change by written notification at least ten (10) days in advance of the proposed change. The Permittee shall attach every such notice to the Permittee's copy of this permit; and

- (5) The Permittee maintains records on-site which document, on a rolling five (5) year basis, all such changes and emissions trading that are subject to 326 IAC 2-7-20 (b), (c), or (e) and makes such records available, upon reasonable request, for public review.

Such records shall consist of all information required to be submitted to IDEM, OAM, in the notices specified in 326 IAC 2-7-20(b), (c)(1), and (e)(2).

- (b) The Permittee may make Section 502(b)(10) of the Clean Air Act changes (this term is defined at 326 IAC 2-7-1(36)) without a permit revision, subject to the constraint of 326 IAC 2-7-20(a) and the following additional conditions:
 - (1) The permit shield, described in 326 IAC 2-7-15, shall not apply to any change made under 326 IAC 2-7-20(b).
 - (2) For each such Section 502(b)(10) of the Clean Air Act change, the required written notification shall include the following:
 - (i) A brief description of the change within the source;
 - (ii) The date on which the change will occur;
 - (iii) Any change in emissions; and
 - (iv) Any permit term or condition that is no longer applicable as a result of the change.

The notification which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) Emission Trades [326 IAC 2-7-20(c)]
The Permittee may trade increases and decreases in emissions in the source, where the applicable SIP provides for such emission trades without requiring a permit revision, subject to the constraints of Section (a) of this condition and those in 326 IAC 2-7-20(c).
- (d) Alternative Operating Scenarios [326 IAC 2-7-20(d)]
The Permittee may make changes at the source within the range of alternative operating scenarios that are described in the terms and conditions of this permit in accordance with 326 IAC 2-7-5(9). No prior notification of IDEM, OAM, or U.S. EPA is required.
- (e) Backup fuel switches specifically addressed in, and limited under, Section D of this permit shall not be considered alternative operating scenarios. Therefore, the notification require-

ments of part (a) of this condition do not apply.

B.22 Construction Permit Requirement [326 IAC 2]

A modification, construction, or reconstruction shall be approved as required by and in accordance with the applicable provision of 326 IAC 2.

B.23 Inspection and Entry [326 IAC 2-7-6(2)]

Upon presentation of proper identification cards, credentials, and other documents as may be required by law, and subject to the Permittee's right under all applicable laws and regulations to assert that the information collected by the agency is confidential and entitled to be treated as such, the Permittee shall allow IDEM, OAM, U.S. EPA, or an authorized representative to perform the following:

- (a) Enter upon the Permittee's premises where a Part 70 source is located, or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- (c) Inspect, at reasonable times, any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit;
- (d) Sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this permit or applicable requirements; and
- (e) Utilize any photographic, recording, testing, monitoring, or other equipment for the purpose of assuring compliance with this permit or applicable requirements.
[326 IAC 2-7-6(6)]

B.24 Transfer of Ownership or Operational Control [326 IAC 2-7-11]

- (a) The Permittee must comply with the requirements of 326 IAC 2-7-11 whenever the Permittee seeks to change the ownership or operational control of the source and no other change in the permit is necessary.
- (b) Any application requesting a change in the ownership or operational control of the source shall contain a written agreement containing a specific date for transfer of permit responsibility, coverage and liability between the current and new Permittee. The application shall be submitted to:

Indiana Department of Environmental Management
Permits Branch, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The application which shall be submitted by the Permittee does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (c) The Permittee may implement administrative amendment changes addressed in the request for an administrative amendment immediately upon submittal of the request. [326 IAC 2-7-11(c)(3)]

B.25 Annual Fee Payment [326 IAC 2-7-19] [326 IAC 2-7-5(7)]

- (a) The Permittee shall pay annual fees to IDEM, OAM, within thirty (30) calendar days of receipt of a billing. If the Permittee does not receive a bill from IDEM, OAM, the applicable fee is due April 1 of each year.
- (b) Except as provided in 326 IAC 2-7-19(e), failure to pay may result in administrative enforcement action or revocation of this permit.
- (c) The Permittee may call the following telephone numbers: 1-800-451-6027 or 317-233-0425 (ask for OAM, Technical Support and Modeling Section), to determine the appropriate permit fee.

SECTION C

SOURCE OPERATION CONDITIONS

Entire Source

Emission Limitations and Standards [326 IAC 2-7-5(1)]

C.1 Opacity [326 IAC 5-1]

Pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), opacity shall meet the following, unless otherwise stated in this permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4 for Portable Plant 2.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period for Portable Plant 2.

C.2 Open Burning [326 IAC 4-1] [IC 13-17-9]

The Permittee shall not open burn any material except as provided in 326 IAC 4-1-3, 326 IAC 4-1-4 or 326 IAC 4-1-6. The previous sentence notwithstanding, the Permittee may open burn in accordance with an open burning approval issued by the Commissioner under 326 IAC 4-1-4.1. 326 IAC 4-1-3 (a)(2)(A) and (B) are not federally enforceable.

C.3 Incineration [326 IAC 4-2][326 IAC 9-1-2]

The Permittee shall not operate an incinerator or incinerate any waste or refuse except as provided in 326 IAC 4-2 and 326 IAC 9-1-2. The provisions of 326 IAC 9-1-2 are not federally enforceable.

C.4 Fugitive Dust Emissions [326 IAC 6-4]

The Permittee shall not allow fugitive dust to escape beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located, in a manner that would violate 326 IAC 6-4 (Fugitive Dust Emissions). 326 IAC 6-4-2(4) is not federally enforceable.

C.5 Fugitive Particulate Matter Emission Limitations [326 IAC 6-5]

Pursuant to CP 025-9062-00002, issued January 15, 1998 and 326 IAC 6-5 (Fugitive Particulate Matter Emissions Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on September 30, 1997. The plan consists of all dust abatement measures contained therein, which includes, but not limited to, applying water on storage piles, unpaved roadways, material loading and unloading operations on an "as-needed" basis such that the following visible emission conditions are met:

- (a) Visible emissions from storage piles shall not exceed twenty percent (20%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. This limitation may not apply during periods when application of control measures are ineffective or unreasonable due to sustained very high wind speeds. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9, except that the opacity shall be observed at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.
- (b) Visible emissions from unpaved roadways shall not exceed an average instantaneous opacity of twenty percent (20%). Average instantaneous opacity shall be the average of

twelve (12) instantaneous opacity readings, taken for four (4) vehicle passes, consisting of three (3) opacity readings for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:

- (1) The first will be taken at the time of emission generation.
- (2) The second will be taken five (5) seconds later.
- (3) The third will be taken five (5) seconds later or ten (10) seconds after the first.

The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume. Each reading shall be taken approximately four (4) feet above the surface of the unpaved roadway.

- (c) Visible emissions from the material loading and unloading operation shall not exceed an average instantaneous opacity of twenty percent (20%). The average instantaneous opacity shall be the average of three (3) opacity readings taken five (5) seconds, ten (10) seconds, and fifteen (15) seconds after the end of one (1) material loading or unloading operation. The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

C.6 Operation of Equipment [326 IAC 2-7-6(6)]

All air pollution control equipment listed in this permit and used to comply with an applicable requirement shall be operated at all times that the emission units vented to the control equipment are in operation.

C.7 Asbestos Abatement Projects [326 IAC 14-10] [326 IAC 18] [40 CFR 61.140]

- (a) Notification requirements apply to each owner or operator. If the combined amount of regulated asbestos containing material (RACM) to be stripped, removed or disturbed is at least 260 linear feet on pipes or 160 square feet on other facility components, or at least thirty-five (35) cubic feet on all facility components, then the notification requirements of 326 IAC 14-10-3 are mandatory. All demolition projects require notification whether or not asbestos is present.
- (b) The Permittee shall ensure that a written notification is sent on a form provided by the Commissioner at least ten (10) working days before asbestos stripping or removal work or before demolition begins, per 326 IAC 14-10-3, and shall update such notice as necessary, including, but not limited to the following:
 - (1) When the amount of affected asbestos containing material increases or decreases by at least twenty percent (20%); or
 - (2) If there is a change in the following:
 - (A) Asbestos removal or demolition start date;
 - (B) Removal or demolition contractor; or
 - (C) Waste disposal site.

- (c) The Permittee shall ensure that the notice is postmarked or delivered according to the guidelines set forth in 326 IAC 14-10-3(2).
- (d) The notice to be submitted shall include the information enumerated in 326 IAC 14-10-3(3).

All required notifications shall be submitted to:

Indiana Department of Environmental Management
Asbestos Section, Office of Air Management
100 North Senate Avenue, P.O. Box 6015
Indianapolis, Indiana 46206-6015

The notifications do not require a certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

- (e) **Procedures for Asbestos Emission Control**
The Permittee shall comply with the emission control procedures in 326 IAC 14-10-4 and 40 CFR 61.145(c). Per 326 IAC 14-10-4 emission control requirements are mandatory for any removal or disturbance of RACM greater than three (3) linear feet on pipes or three (3) square feet on any other facility components or a total of at least 0.75 cubic feet on all facility components.
- (f) **Indiana Accredited Asbestos Inspector**
The Permittee shall comply with 326 IAC 14-10-1(a) that requires the owner or operator, prior to a renovation/demolition, to use an Indiana Accredited Asbestos Inspector to thoroughly inspect the affected portion of the facility for the presence of asbestos. The requirement that the inspector be accredited is federally enforceable.

Testing Requirements [326 IAC 2-7-6(1)]

C.8 Performance Testing [326 IAC 3-6]

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAM.

A test protocol, except as provided elsewhere in this permit, shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

no later than thirty-five (35) days prior to the intended test date. The Permittee shall submit a notice of the actual test date to the above address so that it is received at least two weeks prior to the test date.

- (b) All test reports must be received by IDEM, OAM within forty-five (45) days after the completion of the testing. An extension may be granted by the IDEM, OAM, if the source submits to IDEM, OAM, a reasonable written explanation within five (5) days prior to the end of the initial forty-five (45) day period.

The documentation submitted by the Permittee does not require certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Compliance Monitoring Requirements [326 IAC 2-7-5(1)] [326 IAC 2-7-6(1)]

C.9 Compliance Schedule [326 IAC 2-7-6(3)]

The Permittee:

- (a) All testing shall be performed according to the provisions of 326 IAC 3-6 (Source Sampling Procedures), except as provided elsewhere in this permit, utilizing any applicable procedures and analysis methods specified in 40 CFR 51, 40 CFR 60, 40 CFR 61, 40 CFR 63, 40 CFR 75, or other procedures approved by IDEM, OAM.
- (b) Has submitted a statement that the Permittee will continue to comply with such requirements; and
- (c) Will comply with such applicable requirements that become effective during the term of this permit.

C.10 Compliance Monitoring [326 IAC 2-7-5(3)] [326 IAC 2-7-6(1)]

Compliance with applicable requirements shall be documented as required by this permit. All monitoring and record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance. The Permittee shall be responsible for installing any necessary equipment and initiating any required monitoring related to that equipment. If due to circumstances beyond its control, that equipment cannot be installed and operated within ninety (90) days, the Permittee may extend the compliance schedule related to the equipment for an additional ninety (90) days provided the Permittee notifies:

Indiana Department of Environmental Management
Compliance Branch, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015

in writing, prior to the end of the initial ninety (90) day compliance schedule, with full justification of the reasons for the inability to meet this date.

The notification which shall be submitted by the Permittee does require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

C.11 Monitoring Methods [326 IAC 3]

Any monitoring or testing required by Section D of this permit shall be performed according to the provisions of 326 IAC 3, 40 CFR 60, Appendix A, or other approved methods as specified in this permit.

Corrective Actions and Response Steps [326 IAC 2-7-5] [326 IAC 2-7-6]

C.12 Emergency Reduction Plans [326 IAC 1-5-2] [326 IAC 1-5-3]

Pursuant to 326 IAC 1-5-2 (Emergency Reduction Plans; Submission):

- (a) The Permittee prepared and submitted written emergency reduction plans (ERPs) consistent with safe operating procedures on December 11, 1996.

- (b) If the ERP is disapproved by IDEM, OAM, the Permittee shall have an additional thirty (30) days to resolve the differences and submit an approvable ERP.
- (c) These ERPs shall state those actions that will be taken, when each episode level is declared, to reduce or eliminate emissions of the appropriate air pollutants.
- (d) Said ERPs shall also identify the sources of air pollutants, the approximate amount of reduction of the pollutants, and a brief description of the manner in which the reduction will be achieved.
- (e) Upon direct notification by IDEM, OAM, that a specific air pollution episode level is in effect, the Permittee shall immediately put into effect the actions stipulated in the approved ERP for the appropriate episode level. [326 IAC 1-5-3]

C.13 Risk Management Plan [326 IAC 2-7-5(12)] [40 CFR 68.215]

If a regulated substance, subject to 40 CFR 68, is present at a source in more than a threshold quantity, 40 CFR 68 is an applicable requirement and the Permittee shall:

- (a) Submit:
 - (1) A compliance schedule for meeting the requirements of 40 CFR 68 by the date provided in 40 CFR 68.10(a); or
 - (2) As a part of the compliance certification submitted under 326 IAC 2-7-6(5), a certification statement that the source is in compliance with all the requirements of 40 CFR 68, including the registration and submission of a Risk Management Plan (RMP); and
 - (3) A verification to IDEM, OAM, that a RMP or a revised plan was prepared and submitted as required by 40 CFR 68.
- (b) Provide annual certification to IDEM, OAM, that the Risk Management Plan is being properly implemented.

All documents submitted pursuant to this condition shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

C.14 Compliance Monitoring Plan - Failure to Take Response Steps [326 IAC 2-7-5][326 IAC 2-7-6] [326 IAC 1-6]

- (a) The Permittee is required to implement a compliance monitoring plan to ensure that reasonable information is available to evaluate its continuous compliance with applicable requirements. This compliance monitoring plan is comprised of:
 - (1) This condition;
 - (2) The Compliance Determination Requirements in Section D of this permit;
 - (3) The Compliance Monitoring Requirements in Section D of this permit;
 - (4) The Record Keeping and Reporting Requirements in Section C (Monitoring Data Availability, General Record Keeping Requirements, and General Reporting Requirements) and in Section D of this permit; and

- (5) A Compliance Response Plan (CRP) for each compliance monitoring condition of this permit. CRP's shall be submitted to IDEM, OAM upon request and shall be subject to review and approval by IDEM, OAM. The CRP shall be prepared within ninety (90) days after issuance of this permit by the Permittee and maintained on site, and is comprised of:
 - (A) Response steps that will be implemented in the event that compliance related information indicates that a response step is needed pursuant to the requirements of Section D of this permit; and
 - (B) A time schedule for taking such response steps including a schedule for devising additional response steps for situations that may not have been predicted.
 - (b) For each compliance monitoring condition of this permit, appropriate response steps shall be taken when indicated by the provisions of that compliance monitoring condition. Failure to perform the actions detailed in the compliance monitoring conditions or failure to take the response steps within the time prescribed in the Compliance Response Plan, shall constitute a violation of the permit unless taking the response steps set forth in the Compliance Response Plan would be unreasonable.
 - (c) After investigating the reason for the excursion, the Permittee is excused from taking further response steps for any of the following reasons:
 - (1) The monitoring equipment malfunctioned, giving a false reading. This shall be an excuse from taking further response steps providing that prompt action was taken to correct the monitoring equipment.
 - (2) The Permittee has determined that the compliance monitoring parameters established in the permit conditions are technically inappropriate, has previously submitted a request for an administrative amendment to the permit, and such request has not been denied or;
 - (3) An automatic measurement was taken when the process was not operating; or
 - (4) The process has already returned to operating within "normal" parameters and no response steps are required.
 - (d) Records shall be kept of all instances in which the compliance related information was not met and of all response steps taken. In the event of an emergency, the provisions of 326 IAC 2-7-16 (Emergency Provisions) requiring prompt corrective action to mitigate emissions shall prevail.
- C.15 Actions Related to Noncompliance Demonstrated by a Stack Test [326 IAC 2-7-5] [326 IAC 2-7-6]
- (a) When the results of a stack test performed in conformance with Section C - Performance Testing, of this permit exceed the level specified in any condition of this permit, the Permittee shall take appropriate corrective actions. The Permittee shall submit a description of these corrective actions to IDEM, OAM, within thirty (30) days of receipt of the test results. The Permittee shall take appropriate action to minimize emissions from the affected facility while the corrective actions are being implemented. IDEM, OAM shall notify the Permittee within thirty (30) days, if the corrective actions taken are deficient. The Permittee shall submit a description of additional corrective actions taken to IDEM, OAM within thirty (30) days of receipt of the notice of deficiency. IDEM, OAM reserves the authority to use enforcement

activities to resolve noncompliant stack tests.

- (b) A retest to demonstrate compliance shall be performed within one hundred twenty (120) days of receipt of the original test results. Should the Permittee demonstrate to IDEM, OAM that retesting in one-hundred and twenty (120) days is not practicable, IDEM, OAM may extend the retesting deadline. Failure of the second test to demonstrate compliance with the appropriate permit conditions may be grounds for immediate revocation of the permit to operate the affected facility.

The documents submitted pursuant to this condition do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).

Record Keeping and Reporting Requirements [326 IAC 2-7-5(3)] [326 IAC 2-7-19]

C.16 Emission Statement [326 IAC 2-7-5(3)(C)(iii)] [326 IAC 2-7-5(7)] [326 IAC 2-7-19(c)] [326 IAC 2-6]

- (a) The Permittee shall submit an annual emission statement certified pursuant to the requirements of 326 IAC 2-6, that must be received by July 1 of each year and must comply with the minimum requirements specified in 326 IAC 2-6-4. The annual emission statement shall meet the following requirements:
 - (1) Indicate actual emissions of criteria pollutants from the source, in compliance with 326 IAC 2-6 (Emission Reporting);
 - (2) Indicate actual emissions of other regulated pollutants from the source, for purposes of Part 70 fee assessment.
- (b) The annual emission statement covers the twelve (12) consecutive month time period starting January 1 and ending December 31. The annual emission statement must be submitted to:

Indiana Department of Environmental Management
Technical Support and Modeling Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- (c) The annual emission statement required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM on or before the date it is due.

C.17 Monitoring Data Availability [326 IAC 2-7-6(1)] [326 IAC 2-7-5(3)]

- (a) With the exception of performance tests conducted in accordance with Section C- Performance Testing, all observations, sampling, maintenance procedures, and record keeping, required as a condition of this permit shall be performed at all times the equipment is operating at normal representative conditions.
- (b) As an alternative to the observations, sampling, maintenance procedures, and record keeping of subsection (a) above, when the equipment listed in Section D of this permit is not operating, the Permittee shall either record the fact that the equipment is shut down or perform the observations, sampling, maintenance procedures, and record keeping that would otherwise be required by this permit.

- (c) If the equipment is operating but abnormal conditions prevail, additional observations and sampling should be taken with a record made of the nature of the abnormality.
- (d) If for reasons beyond its control, the operator fails to make required observations, sampling, maintenance procedures, or record keeping, reasons for this must be recorded.
- (e) At its discretion, IDEM may excuse such failure providing adequate justification is documented and such failures do not exceed five percent (5%) of the operating time in any quarter.
- (f) Temporary, unscheduled unavailability of staff qualified to perform the required observations, sampling, maintenance procedures, or record keeping shall be considered a valid reason for failure to perform the requirements stated in (a) above.

C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]

- (a) Records of all required monitoring data and support information shall be retained for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. These records shall be kept at the source location for a minimum of three (3) years and available upon the request of an IDEM, OAM representative. The records may be stored elsewhere for the remaining two (2) years as long as they are available upon request. If the Commissioner makes a written request for records to the Permittee, the Permittee shall furnish the records to the Commissioner within a reasonable time.
- (b) Records of required monitoring information shall include, where applicable:
 - (1) The date, place, and time of sampling or measurements;
 - (2) The dates analyses were performed;
 - (3) The company or entity performing the analyses;
 - (4) The analytic techniques or methods used;
 - (5) The results of such analyses; and
 - (6) The operating conditions existing at the time of sampling or measurement.
- (c) Support information shall include, where applicable:
 - (1) Copies of all reports required by this permit;
 - (2) All original strip chart recordings for continuous monitoring instrumentation;
 - (3) All calibration and maintenance records;
 - (4) Records of preventive maintenance shall be sufficient to demonstrate that failure to implement the Preventive Maintenance Plan did not cause or contribute to a violation of any limitation on emissions or potential to emit.
- (d) All record keeping requirements not already legally required shall be implemented within ninety (90) days of permit issuance.

C.19 General Reporting Requirements [326 IAC 2-7-5(3)(C)]

- (a) To affirm that the source has met all the compliance monitoring requirements stated in this permit the source shall submit a Quarterly Compliance Monitoring Report. Any deviation from the requirements and the date(s) of each deviation must be reported. The Compliance Monitoring Report shall include the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (b) The report required in (a) of this condition and reports required by conditions in Section D of this permit shall be submitted to:

Indiana Department of Environmental Management
Compliance Data Section, Office of Air Management
100 North Senate Avenue, P. O. Box 6015
Indianapolis, Indiana 46206-6015
- (c) Unless otherwise specified in this permit, any notice, report, or other submission required by this permit shall be considered timely if the date postmarked on the envelope or certified mail receipt, or affixed by the shipper on the private shipping receipt, is on or before the date it is due. If the document is submitted by any other means, it shall be considered timely if received by IDEM, OAM on or before the date it is due.
- (d) Unless otherwise specified in this permit, any quarterly report shall be submitted within thirty (30) days of the end of the reporting period. The reports do not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (e) All instances of deviations as described in Section B- Deviations from Permit Requirements Conditions must be clearly identified in such reports. The Emergency/Deviation Occurrence Report does not require the certification by the "responsible official" as defined by 326 IAC 2-7-1(34).
- (f) Any corrective actions or response steps taken as a result of each deviation must be clearly identified in such reports.
- (g) The first report shall cover the period commencing on the date of issuance of this permit and ending on the last day of the reporting period.

Portable Source Requirement

C.20 Relocation of Portable Sources [326 IAC 2-14-4]

- (a) This permit is approved for operation in all areas of Indiana except in severe nonattainment areas for ozone (at the time of this permit's issuance these areas were Lake and Porter Counties). This determination is based on the requirements of Prevention of Significant Deterioration in 326 IAC 2-2 and 40 CFR 52.21, and Emission Offset requirements in 326 IAC 2-3. A thirty (30) day advance notice of relocation must be given to IDEM, OAM, and a "Relocation Site Approval" letter must be obtained before relocating.
- (b) The Permittee shall also notify the applicable local air pollution control agency when relocating to, or from, one the following:
 - (1) Madison County - (Anderson Office of Air Management)
 - (2) City of Evansville plus four (4) miles beyond the corporate limits but not outside Vanderburgh County - (Evansville EPA)

- (3) City of Gary - (Gary Division of Air Pollution)
- (4) City of Hammond - (Hammond Department of Environmental Management)
- (5) Marion County - (Indianapolis Air Pollution Control Agency)
- (6) St. Joseph County - (St. Joseph County Health Department)
- (7) Vigo County - (Vigo County Air Pollution Department)
- (c) That a valid operation permit consists of this document and any subsequent "Relocation Site Approval" letter specifying the current location of the portable plant.

Stratospheric Ozone Protection

C.21 Compliance with 40 CFR 82 and 326 IAC 22-1

Pursuant to 40 CFR 82 (Protection of Stratospheric Ozone), Subpart F, except as provided for motor vehicle air conditioners in Subpart B, the Permittee shall comply with the standards for recycling and emissions reduction:

- (a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices pursuant to 40 CFR 82.156.
- (b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to 40 CFR 82.158.
- (c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION D.1

FACILITY CONDITIONS

Facility Description [326 IAC 2-7-5(15)] **Portable Plant 2**

- (a) One (1) feed hopper, one (1) feed belt and one (1) surge bin installed in 1998.
- (b) One (1) feeder, known as AK 1403, installed in 1998, capacity 390 tons of limestone per hour.
- (c) One (1) secondary crusher, known as AI 1402, installed in 1998, capacity 390 tons of limestone per hour.
- (d) One (1) screen, known as AK 1404, installed in 1998, capacity 390 tons of limestone per hour.
- (e) Three (3) stackers, known as LP-TP-3, installed in 1998, capacity: 300 tons of limestone per hour, each.
- (f) Four (4) conveyors, known as LP-TP-1, installed in 1998, capacity: 390 tons of limestone per hour, each
- (g) One (1) No. 2 fuel oil-fired intermittent electric generator, known as EU AG 1402, rated at 7.4 million British thermal units per hour.
- (h) Six (6) conveyors, known as LP-TP-2, installed in 1998, capacity: 300 tons of limestone per hour, each.

(The information describing the process contained in this facility description box is descriptive information and does not constitute enforceable conditions.)

Emission Limitations and Standards [326 IAC 2-7-5(1)]

D.1.1 Particulate Matter (PM) [326 IAC 6-1]

Pursuant to 326 IAC 6-1-2(g), the portable plant shall comply with 326 IAC 2, 326 IAC 5-1 and 326 IAC 6-4.

D.1.2 Emission Offset [326 IAC 2-3]

Any change or modification which may increase potential to emit to one hundred (100) tons per year from this portable plant, shall cause this plant to be considered a major source under Emission Offset, 326 IAC 2-3, and shall require approval from IDEM, OAM prior to making the change.

D.1.3 Opacity [40 CFR 60.670 through 60.676, Subpart OOO]

Pursuant to the New Source Performance Standards, 326 IAC 12, 40 CFR 60.670 through 60.676, Subpart OOO:

- (a) The crushing operations (AI-1402) are limited to fifteen percent (15%) opacity or less in twenty-four (24) consecutive readings in a six (6) minute period, and
- (b) The screening (AK 1404) and conveying (LP-TP-1, LP-TP-2 and LP-TP-3) operations are limited to ten percent (10%) opacity or less in twenty-four (24) consecutive readings in a six (6) minute period.
- (c) Compliance shall be determined by 40CFR 60, Appendix A, Method 9.

D.1.4 Fuel Use Limitation [326 IAC 2-3]

- (a) The total input of No. 2 distillate fuel oil to the intermittent electric generator shall be limited to 36,836.9 gallons per month. This fuel limit is equivalent to 99.0 tons of NOx per year. Therefore, the requirements of 326 IAC 2-3 (Emission Offset) do not apply.

- (b) The requirement from CP 025-9062-00002, issued January 15, 1998, Condition No. 8, required that the No. 2 distillate fuel oil usage at this portable secondary crushing plant specifically the intermittent electric generator be limited to 126,300 gallons per 365 consecutive day period rolled on a daily basis. This fuel usage limitation was equivalent to 39 tons per 365 consecutive day period rolled on a daily basis. Therefore, the Prevention of Significant Deterioration (PSD) rules, 326 IAC 2-2 and 40 CFR 62.21 did not apply.

This fuel usage limit is not applicable because IDEM, OAM, has determined that the PSD definition for this source should not have included the potential fugitive emissions after controls. Therefore, the fuel usage limit has been changed to 442,043 gallons per year (36,836.9 gallons per month) equivalent to 99.0 tons of NO_x per year. The portable plant will be limited to relocation in nonattainment counties, but not in the severe nonattainment ozone counties of Lake and Porter.

D.1.5 Nonfugitive Emissions

Pursuant to CP 025-9062-00002 issued January 15, 1998, nonfugitive emissions from crushing, screening and conveying shall be controlled by utilizing a continuous wet suppression system in order to meet the requirements of the New Source Performance Standards, 326 IAC 12 and 40 CFR 60.670 through 60.676, Subpart OOO specified in Condition D.1.3.

D.1.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the crushing (AI-1402), for the screening (AK 1404) and for the conveying (LP-TP-1, LP-TP-2 and LP-TP-3) operations as well as the intermittent electric generator.

Compliance Determination Requirements

D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)][326 IAC 2-1.1-11] [NSPS Subpart OOO]

Within five (5) years from the date of latest valid compliance demonstration, the Permittee shall perform opacity testing for the crushing (AI-1402), screening (AK 1404) and conveying (LP-TP-1, LP-TP-2 and LP-TP-3) operations. These tests shall be repeated at least once every five (5) years from the date of the latest valid compliance demonstration. In addition to these requirements, IDEM may require compliance testing when necessary to determine if these facilities are in compliance.

Compliance Monitoring Requirements [326 IAC 2-8-4] [326 IAC 2-8-5(a)(1)]

D.1.8 Visible Emissions Notations

- (a) Daily visible emission notations of the crushing (1A-C-3), the screening (AK 1404) and conveying (LP-TP-1, LP-TP-2 and LP-TP-3) operations shall be performed during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.
- (b) For processes operated continuously, "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time.
- (c) In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions.
- (d) A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process.

- (e) The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

Record Keeping and Reporting Requirement [326 IAC 2-8-4(3)] [326 IAC 2-8-16]

D.1.9 Record Keeping Requirements

- (a) To document compliance with Condition D.1.3, the Permittee shall maintain records of opacity notations of the limestone crushing, screening and conveying operations.
- (b) To document compliance with Condition D.1.8, the Permittee shall maintain records of daily visible emission notations for the crushing (1A-C-3), the screening (AK 1404) and conveying (LP-TP-1, LP-TP-2 and LP-TP-3) operations.
- (c) To document compliance with Condition D.1.4, the Permittee shall maintain records at the source of the No. 2. fuel oil usage.
- (d) All records shall be maintained in accordance with Section C - General Record Keeping Requirements, of this permit.

D.1.10 Reporting Requirements

- (a) Pursuant to the New Source Performance Standards (NSPS), Part 60.670 through 60.676, Subpart OOO, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times and shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit:
 - (1) commencement of construction date;
 - (2) actual start-up date; and
 - (3) date of performance testing (at least 30 days prior to such date), when required by a condition elsewhere in this permit.
- (b) A quarterly summary to document compliance with operation Condition D.1.4 shall be submitted to the address listed in Section C - General Reporting Requirements, of this permit, using the reporting forms located at the end of this permit, or their equivalent, within thirty (30) days after the end of the quarter being reported. These reports shall include the amounts of No. 2 fuel oil used each month.

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
CERTIFICATION**

Source Name: Mulzer Crushed Stone, Inc.
Source Address: RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137
Mailing Address: P.O. Box 249, Tell City, Indiana 47586
Part 70 Permit No.: T 025-10885-05199

This certification shall be included when submitting monitoring, testing reports/results or other documents as required by this permit.

Please check what document is being certified:

- 9 Annual Compliance Certification Letter
- 9 Test Result (specify) _____
- 9 Report (specify) _____
- 9 Notification (specify) _____
- 9 Other (specify) _____

I certify that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

Signature:

Printed Name:

Title/Position:

Date:

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION
P.O. Box 6015
100 North Senate Avenue
Indianapolis, Indiana 46206-6015
Phone: 317-233-5674
Fax: 317-233-5967**

**PART 70 OPERATING PERMIT
EMERGENCY/DEVIATION OCCURRENCE REPORT**

Source Name: Mulzer Crushed Stone, Inc.
Source Address: RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137
Mailing Address: P.O. Box 249, Tell City, Indiana 47586
Part 70 Permit No.: T 025-10885-05199

This form consists of 2 pages

Page 1 of 2

Check either No. 1 or No.2	
9	1. This is an emergency as defined in 326 IAC 2-7-1(12) C The Permittee must notify the Office of Air Management (OAM), within four (4) business hours (1-800-451-6027 or 317-233-5674, ask for Compliance Section); and C The Permittee must submit notice in writing or by facsimile within two (2) days (Facsimile Number: 317-233-5967), and follow the other requirements of 326 IAC 2-7-16
9	2. This is a deviation, reportable per 326 IAC 2-7-5(3)(C) C The Permittee must submit notice in writing within ten (10) calendar days

If any of the following are not applicable, mark N/A

Facility/Equipment/Operation:
Control Equipment:
Permit Condition or Operation Limitation in Permit:
Description of the Emergency/Deviation:
Describe the cause of the Emergency/Deviation:

If any of the following are not applicable, mark N/A

Page 2 of 2

Date/Time Emergency/Deviation started:
Date/Time Emergency/Deviation was corrected:
Was the facility being properly operated at the time of the emergency/deviation? Y N Describe:
Type of Pollutants Emitted: TSP, PM-10, SO ₂ , VOC, NO _x , CO, Pb, other:
Estimated amount of pollutant(s) emitted during emergency/deviation:
Describe the steps taken to mitigate the problem:
Describe the corrective actions/response steps taken:
Describe the measures taken to minimize emissions:
If applicable, describe the reasons why continued operation of the facilities are necessary to prevent imminent injury to persons, severe damage to equipment, substantial loss of capital investment, or loss of product or raw materials of substantial economic value:

Form Completed by: _____

Title / Position: _____

Date: _____

Phone: _____

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

Part 70 Monthly Report Submitted Quarterly

Source Name: Mulzer Crushed Stone, Inc.
Source Address: RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137
Mailing Address: P.O. Box 249, Tell City, Indiana 47586
Part 70 Permit No.: T 025-10885-05199
Facility: Portable Plant 2 - Intermittent Electric Generator (EU AG 1402)
Parameter: No. 2 fuel oil usage
Limit: 36,836.9 gallons per month

YEAR: _____

Month	No. 2 Fuel Oil (gallons)

9 No deviation occurred in this month.

9 Deviation/s occurred in this month.

Deviation has been reported on: _____

Submitted by: _____

Title/Position: _____

Signature: _____

Date: _____

Phone: _____

**INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
OFFICE OF AIR MANAGEMENT
COMPLIANCE DATA SECTION**

**PART 70 OPERATING PERMIT
QUARTERLY COMPLIANCE MONITORING REPORT**

Source Name: Mulzer Crushed Stone, Inc.
Source Address: RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137
Mailing Address: P.O. Box 249, Tell City, Indiana 47586
Part 70 Permit No.: T 025-10885-05199

Months: _____ **to** _____ **Year:** _____

This report is an affirmation that the source has met all the compliance monitoring requirements stated in this permit. This report shall be submitted quarterly. Any deviation from the compliance monitoring requirements and the date(s) of each deviation must be reported. Additional pages may be attached if necessary. This form can be supplemented by attaching the Emergency/Deviation Occurrence Report. If no deviations occurred, please specify in the box marked "No deviations occurred this reporting period".

9 NO DEVIATIONS OCCURRED THIS REPORTING PERIOD.

9 THE FOLLOWING DEVIATIONS OCCURRED THIS REPORTING PERIOD.

Compliance Monitoring Requirement (e.g. Permit Condition D.1.3)	Number of Deviations	Date of each Deviation

Form Completed By: _____

Title/Position: _____

Date: _____

Phone: _____

Attach a signed certification to complete this report.

Indiana Department of Environmental Management Office of Air Management

Addendum to the Technical Support Document for a Part 70 Operating Permit

Source Name: Mulzer Crushed Stone, Inc. (Cape Sandy Facility)
Source Location: RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137
County: Crawford
SIC Code: 1422
Operation Permit No.: T 025-10885-05199
Permit Reviewer: Mark L. Kramer

On July 28, 1999, the Office of Air Management (OAM) had a notice published in the Clarion News, English, Indiana, stating that Mulzer Crushed Stone, Inc. (Cape Sandy Facility) had applied for a Part 70 Operating Permit to operate a portable limestone crushing and processing plant. In addition, four (4) stationary plants located at this same source are being permitted separately under a Part 70 Permit, T 025-7484-00002. The notice also stated that OAM proposed to issue a Part 70 Operating Permit for this operation and provided information on how the public could review the proposed Part 70 Operating Permit and other documentation. Finally, the notice informed interested parties that there was a period of thirty (30) days to provide comments on whether or not this Part 70 Operating Permit should be issued as proposed.

On August 20, 1999, Brian J. Peters of Mulzer Crushed Stone, Inc., submitted comments on the proposed Part 70 Operating Permit. The permit language, if changed, has deleted language appearing as ~~strikeouts~~ and new language as **bold**. The comments are as follows:

Comments 1 and 2:

During final review of our draft Title V permit and comments, we have identified that the number of conveyors had been misinterpreted during the permitting process for the portable plant. In order to insure that the Title V permit correctly reflects the actual number of conveyors present, we wish to specify the correct number of conveyors. The following Table 1 gives this information. We apologize for any inconvenience.

Table 1
Number of Conveyors at the Leavens Portable Plant

Plant	ID	Number of Conveyors or Stackers	Individual Capacities* (tons/hr)
LP	LP-TP-1	3	390
LP	LP-TP-2	6	300*
LP	LP-TP-3	3 (Stackers)	300*

* Conveyors with capacities below 388 tons/hr are insignificant sources.

Regarding A.2 (e) and (f) (including the corresponding D-Section entries), please revise the equipment descriptions using the information given in Table 1 as follows. Please note that emission unit description (h) has been added.

- (e) ~~Two (2)~~ **Three (3)** stackers, known as ~~AJ 1430 and 1433~~ **LP-TP-3**, installed in 1998, *each with a capacity of 300 tons of limestone per hour.*
- (f) Three (3) conveyors, known as ~~AJ 1420-1422~~ **LP-TP-1**, installed in 1998, *each with a*

capacity of 390 tons of limestone per hour.

- (h) *Six (6) conveyors, known as LP-TP-2, installed in 1998, each with a capacity of 300 tons of limestone per hour.*

Responses 1 and 2:

Condition A.2 and Section D.1 have been revised to as requested to indicate the new emission unit identifications, the number of stacks and the inclusion of seven (7) conveyors and one (1) stacker as follows:

- (e) ~~Two (2)~~ **Three (3)** stackers, known as ~~AJ-1430 and 1433~~ **LP-TP-3**, installed in 1998, **capacity: 300 tons of limestone per hour, each.**
- (f) ~~Four (4)~~ **Three (3)** conveyors, known as ~~AJ-1420-1422~~ **LP-TP-1**, installed in 1998, **capacity: 390 tons of limestone per hour, each.**
- (h) **Six (6) conveyors, known as LP-TP-2, installed in 1998, capacity: 300 tons of limestone per hour, each.**

The equipment list for CP 025-9062-00002, issued January 15, 1998, erroneously included only two (2) stackers and three (3) conveyors. The application for CP 025-9062-00002 submitted September 24, 1997 listed eleven (11) conveyors and three (3) stackers contained on two (2) pages of Form FF. Only the equipment on page 1 of Form FF was listed in the permit. Therefore, IDEM will consider the additional stacker (originally known as AJ-1427) and seven (7) conveyors (AJ 1423 - 1426 and AJ-1428 - AJ-1429 & AJ 1431 & AJ-1432) as permitted equipment. Note one (1) conveyor was never constructed.

Also due to the changes in emission unit identifications, Conditions D.1.3(b), D.1.6, D.1.7, D.1.8(a) and D.1.9(b) have also been revised as follows:

D.1.3 Opacity [40 CFR 60.670 through 60.676, Subpart OOO]

Pursuant to the New Source Performance Standards, 326 IAC 12, 40 CFR 60.670 through 60.676, Subpart OOO:

- (b) The screening (AK 1404) and conveying (~~AJ-1420, AJ-1421, AJ-1422, LP-TP-1, LP-TP-2~~ **LP-TP-1, LP-TP-2** ~~AJ-1430 and AJ-1433~~ **LP-TP-3**) operations are limited to ten percent (10%) opacity or less in twenty-four (24) consecutive readings in a six (6) minute period.

D.1.6 Preventive Maintenance Plan [326 IAC 2-8-4(9)]

A Preventive Maintenance Plan, in accordance with Section B - Preventive Maintenance Plan, of this permit, is required for the crushing (AI-1402), for the screening (AK 1404) and for the conveying (~~AJ-1420, AJ-1421, AJ-1422, LP-TP-1, LP-TP-2~~ **LP-TP-1, LP-TP-2** ~~AJ-1430 and AJ-1433~~ **LP-TP-3**) operations as well as the intermittent electric generator.

D.1.7 Testing Requirements [326 IAC 2-7-6(1),(6)][326 IAC 2-1.1-11] [NSPS Subpart OOO]

Within five (5) years from the date of latest valid compliance demonstration, the Permittee shall perform opacity testing for the crushing (AI-1402), screening (AK 1404) and conveying (~~AJ-1420, AJ-1421, AJ-1422, LP-TP-1, LP-TP-2~~ **LP-TP-1, LP-TP-2** ~~AJ-1430 and AJ-1433~~ **LP-TP-3**) operations. These tests shall be repeated at least once every five (5) years from the date of the latest valid compliance demonstration. In addition to these requirements, IDEM may require compliance testing when necessary to determine if these facilities are in compliance.

D.1.8 Visible Emissions Notations

- (a) Daily visible emission notations of the crushing (1A-C-3), the screening (AK 1404) and conveying (~~AJ 1420, AJ 1421, AJ 1422, LP-TP-1, LP-TP-2~~ **AJ 1430** and ~~AJ 1433~~ **LP-TP-3**) operations shall be performed during normal daylight operations when exhausting to the atmosphere. A trained employee shall record whether emissions are normal or abnormal.

D.1.9 Record Keeping Requirements

- (b) To document compliance with Condition D.1.8, the Permittee shall maintain records of daily visible emission notations for the crushing (1A-C-3), the screening (AK 1404) and conveying (~~AJ 1420, AJ 1421, AJ 1422, LP-TP-1, LP-TP-2~~ **AJ 1430** and ~~AJ 1433~~ **LP-TP-3**) operations.

Comment 3:

Regarding B.12, D.1.4 and D.2.4, Preventive Maintenance Plan, we wish to state that our interpretation of the current wording of Condition B.12 is that preventive maintenance plans are only required to include maintenance information relating to emission control devices and only those emission units where maintenance on the emission unit itself would affect emissions. This interpretation is in agreement with what we have learned about recent decisions for Title V permit appeal cases. We wish to request that, in the Response to Comments document, IDEM confirm that our interpretation of preventive maintenance plan requirements, as stated above, is correct.

Response 3:

As stated in subsection (a) of Condition B.12, a PMP is not needed unless specifically required in Section D. If lack of proper maintenance could cause or contribute to a violation of any limitation on emissions or potential to emit, then a Preventive Maintenance Plan will be required even if there is no control device. In this case, the IDEM, OAM has determined that the facilities in Section D.1 require a preventive maintenance plan as required in Condition D.1.6. Note there is no Section D.2.

Comment 4:

Regarding C.5, Fugitive Particulate Matter Emission Limitations, we request that the 20% opacity limitations in this condition for storage piles, unpaved roadways, and material loading and unloading operations be removed from the permit. We do not believe that there is regulatory justification for a 20% opacity limitation and believe that the dust abatement measure indicated, applying water on an as-needed basis, is the only applicable requirement. If there is regulatory justification for the 20% opacity limitations, we request that this justification be supplied.

Response 4:

These conditions have been carried forth pursuant to Condition No. 12 of CP 025-9062-00002, issued January 15, 1998 and 326 IAC 6-5 (Fugitive Particulate Matter Emissions Limitations) which comprised the fugitive particulate matter dust plan submitted on September 30, 1997 by the source. Therefore, no change has been made to the permit.

Comment 5:

Regarding C.6, Operation of Equipment, and D.1.5, Nonfugitive Emissions, although the water sprays that have been installed to control particulate matter emissions are normally in operation during limestone processing, they are not required at all times to achieve compliance with the applicable opacity and particulate emission limits. The draft permit conditions do require that the

emission units meet specific opacity limitations, but should not indicate that water sprays be used to achieve compliance with these limitations. It is also important to note that the NSPS that we are required to follow, 40 CFR 60 Subpart OOO, contains opacity limitations but not requirements that water sprays or other specific control methods be used. We believe that continuous use of the water sprays during emission unit operation should not be required, and request that conditions C.6 and D.1.5 be removed from the draft permit.

Response 5:

Pursuant to Condition No. 15 of CP 025-9062-00002 issued January 15, 1998, nonfugitive emissions from crushing, screening and conveying shall be controlled by utilizing a continuous wet suppression system in order to meet the requirements of the New Source Performance Standards, 326 IAC 12 and 40 CFR 60.670 through 60.676, Subpart OOO. All potential emission calculations utilized the ninety percent (90%) control efficiency associated with the wet suppression system. Therefore, no change has been made to the permit.

Comment 6:

Regarding C.14, D.1.8 (e), Compliance Monitoring Plan, we do not believe that 40 CFR Part 70, or 326 IAC 2-7 provides any authority to require the preparation of a Compliance Response Plan (CRP) or to establish the basis for a violation of the permit for failure to conduct the identified response steps. Failure to take specific response steps should not be interpreted in any way as evidence of non-compliance with an underlying applicable requirement, which is implied by this draft permit condition. We request that all references to a Compliance Response Plan be eliminated from these conditions. If it is not possible to remove references to a Compliance Response Plan, we wish to request that the condition be worded such that failure to take specific response steps would not be interpreted in any way as evidence of non-compliance with an underlying applicable requirement.

Response 6:

OAM does not agree. IDEM has worked with members of the Clean Air Act Advisory Council's Permit Committee, Indiana Manufacturing Association, Indiana Chamber of Commerce and individual applicants regarding the Preventive Maintenance Plan, the Compliance Monitoring Plan and the Compliance Response Plan. The plans are fully supported by rules promulgated by the Air Pollution Control Board. The plans are the mechanism each permittee will use to verify continuous compliance with its permit and the applicable rules and will form the basis for each permittee's Annual Compliance Certification. Each permittee's ability to verify continuous compliance with its air pollution control requirements is a central goal of the Title V and FESOP permit programs.

The regulatory authority for and the essential elements of a compliance monitoring plan were clarified in IDEM's Compliance Monitoring Guidance, in May 1996. IDEM originally placed all the preventive maintenance requirements in the permit section titled "Preventive Maintenance Plan." Under that section the permittee's Preventive Maintenance Plan (PMP) had to set out requirements for the inspection and maintenance of equipment both on a routine basis and in response to monitoring. Routine maintenance was a set schedule of inspections and maintenance of the equipment. The second was inspection and maintenance in response to monitoring that showed that the equipment was not operating in its normal range. This monitoring would indicate that maintenance was required to prevent the exceedance of an emission limit or other permit requirement.

The maintenance plan was to set out the "corrective actions" that the permittee would take in the event an inspection indicated an "out of specification situation", and also set out the time frame for

taking the corrective action. In addition, the PMP had to include a schedule for devising additional corrective actions for out of compliance situations that the source had not predicted in the PMP. All these plans, actions and schedules were part of the Preventive Maintenance Plan, with the purpose of maintaining the permittee's equipment so that an exceedance of an emission limit or violation of other permit requirements could be prevented.

After issuing the first draft Title V permits on public notice in July of 1997, IDEM received comments from members of the regulated community regarding many of the draft permit terms, including the PMP requirements. One suggestion was that the corrective action and related schedule requirements be removed from the PMP requirement and placed into some other requirement in the permit. This suggestion was based, in some part, on the desire that a permittee's maintenance staff handle the routine maintenance of the equipment, and a permittee's environmental compliance and engineering staff handle the compliance monitoring and steps taken in reaction to an indication that the facility required maintenance to prevent an environmental problem.

IDEM carefully considered this suggestion and agreed to separate the "corrective actions" and related schedule requirements from the PMP. These requirements were placed into a separate requirement, which IDEM named the Compliance Response Plan (CRP). In response to another comment, IDEM changed the name of the "corrective actions" to "response steps." That is how the present CRP requirements became separated from the PMP requirement, and acquired their distinctive nomenclature.

The Compliance Monitoring Plan is made up of the PMP, the CRP, the compliance monitoring and compliance determination requirements in section D of the permit, and the record keeping and reporting requirements in sections C and D. IDEM decided to list all these requirements under this new name, the Compliance Monitoring Plan (CMP), to distinguish them from the PMP requirements. The section D provisions set out which facilities must comply with the CMP requirement. The authority for the CMP provisions is found at 326 IAC 2-7-5(1), 2-7-5(3), 2-7-5(13), 2-7-6(1), 1-6-3 and 1-6-5.

No change to the condition was made as a result of this comment

Comment 7:

Regarding C.18 (c) (4), General Record Keeping Requirements, we believe that the requirement for demonstration that improper maintenance did not cause or contribute to a violation of any limitation on emissions or potential to emit is an unnecessary, open-ended and vague requirement. Specifically, the text, "To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operators standard operating procedures.", is especially troublesome. Much of the day to day maintenance that is required to ensure that all systems remain operational is performed immediately as "on-the-spot" repairs, without issuance of items such as work orders. This historic methodology has proved to be efficient for Mulzer and more than adequate to ensure that all systems remain in proper operating condition. We request that condition C.19 [C.18] be removed from the draft permit.

Response 7:

IDEM has agreed to modify the first sentence of C.18(c)(4) to be consistent with the changes to Condition B.12, Preventive Maintenance Plan.

IDEM acknowledges that the language contained in subsection (c)(4) arose from negotiations on a source specific nature. The language describes the records that would be potentially useful for the source to use under Section B.13, Emergency Provisions. If a Permittee cannot demonstrate

that an event qualifies as an emergency, then the affirmative defense cannot be claimed.

C.18 General Record Keeping Requirements [326 IAC 2-7-5(3)][326 IAC 2-7-6]

(c) Support information shall include, where applicable:

- (4) Records of preventive maintenance shall be sufficient to demonstrate that failure to implement the Preventive Maintenance Plan did not cause or contribute to a violation of any limitation on emissions or potential to emit. ~~To be relied upon subsequent to any such violation, these records may include, but are not limited to: work orders, parts inventories, and operator's standard operating procedures. Records of response steps taken shall indicate whether the response steps were performed in accordance with the Compliance Response Plan required by Section C - Compliance Monitoring Plan - Failure to take Response Steps, of this permit, and whether a deviation from a permit condition was reported. All records shall briefly describe what maintenance and response steps were taken and indicate who performed the tasks.~~

Comment 8:

Regarding D.1.7, Testing Requirements, please remove this requirement from the draft permit. We do not believe that it is necessary to retest these types of emission units every five years due to the simple nature of the emissions generation (rock dust from agitation) and emissions control (water spray, if necessary).

Response 8:

Performance testing to document compliance with the opacity limits specified under NSPS once every five (5) years is not overly burdensome. Therefore, the retest condition has not been removed.

Comment 9:

Regarding D.1.8 (a), Visible Emission Notations, with the exception of the screen, ID AK-1404, please remove all requirements for visible emissions notations. IDEM's guidance and recent decisions for Title V permit appeal cases states that compliance monitoring will not be required for emission units with allowable emissions below 10 lbs/hr. Uncontrolled emissions from the crushers and conveyors, using emission factors from AP-42 section 11.19.2 for Crushed Stone Processing, are all below 10 lbs/hr. The calculations included with the Technical Support Document confirm these emission rates.

Removal of compliance monitoring requirements for emission units with allowable emissions below 10 lbs/hr follows recent decisions reached for Title V permit appeal cases. We wish to request that, if necessary, IDEM legal council be contacted for confirmation.

Response 9:

IDEM's compliance monitoring guidance states that a compliance monitoring plan is required for:

- (a) the unit emits particulate matter, sulfur dioxide, or volatile organic compounds; and
- (b) the unit has existing applicable requirements; and

- (c) the unit is subject to a NSPS or NESHAP (for these units current requirements will satisfy as a compliance monitoring plan); or
- (d) the unit has a control device and the allowable emissions exceed 10 pounds per hour; or
- (e) the unit does not have a control device and has actual emissions exceeding 25 tons per year.

Since NSPS Subpart OOO is applicable to these facilities, regardless of their allowable PM emissions, compliance monitoring is required and thus no change to the permit conditions has been made.

Comment 10:

Regarding D.1.8 (a), Visible Emission Notations, specifically for the Screen, ID AK-1404, please revise the visible emissions notation frequency from daily to weekly. We do not believe that daily visible emissions notations are necessary due to the simple nature of the emissions generation (rock dust from agitation) and emissions control (water spray, if necessary). In addition, we do not believe that there is any benefit that is gained from daily notations over weekly notations, given the simple nature of our operation and the constant attention of our operations staff.

Response 10:

The NSPS Subpart OOO requires that the opacity limits be continuously met and therefore, daily visible emission notations are reasonable.

Comment 11:

Regarding D.1.9 (b), Record Keeping Requirements, please revise the text to reflect weekly visible emissions notations for the Screen, ID AK-1404, only.

Response 11:

No change in Condition D.1.9(b) is required since Condition D.1.8(a) was not revised as stated in Response 10.

Indiana Department of Environmental Management Office of Air Management

Technical Support Document (TSD) for a Part 70 Operating Permit

Source Background and Description

Source Name: Mulzer Crushed Stone, Inc. (Cape Sandy Facility)
Source Location: RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137
County: Crawford
SIC Code: 1422
Operation Permit No.: T 025-10885-05199
Permit Reviewer: Mark L. Kramer

The Office of Air Management (OAM) has reviewed a Part 70 permit application from Mulzer Crushed Stone, Inc. relating to the operation of a portable limestone crushing and processing plant initially located at RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137.

Source Definition

This limestone crushing and processing company consists of five (5) plants:

- (a) Stationary Plant 1 is located at RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137;
- (b) Stationary Plant 1A is located at RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137;
- (c) Stationary Plant 2 is located at RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137; and
- (d) Portable Plant 2 is located at RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137.
- (e) Stationary Sand Plant is located at RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137.

Since these five (5) plants are located on contiguous properties, have the same SIC codes and are owned by one (1) company, they will be considered one (1) source.

A separate Part 70 permit (T 025-7484-00002) will be issued to Stationary Plants 1, 1A and 2 solely for administrative purposes.

Permitted Emission Units and Pollution Control Equipment

The source consists of the following permitted emission units and pollution control devices. Certain emission units have had their capacities increased without prior approval. The permitted capacities for those units are shown in parentheses pursuant to a permit.

Portable Plant 2

- (a) One (1) feed hopper, one (1) feed belt and one (1) surge bin installed in 1998.
- (b) One (1) feeder, known as AK 1403, installed in 1998, capacity 390 tons of limestone per hour.
- (c) One (1) secondary crusher, known as AI 1402, installed in 1998, capacity 390 tons of limestone per hour.
- (d) One (1) screen, known as AK 1404, installed in 1998, capacity 390 tons of limestone per hour.
- (e) Two (2) stackers, known as AJ 1430 and 1433, installed in 1998.
- (f) Three (3) conveyors, known as AJ 1420 - 1422, installed in 1998, capacity: 390 tons of limestone per hour.
- (g) One (1) No. 2 fuel oil-fired intermittent electric generator, known as EU AG 1402, rated at 7.4 million British thermal units per hour.

Unpermitted Emission Units and Pollution Control Equipment

There are no unpermitted facilities/units at this portable plant.

New Emission Units and Pollution Control Equipment Receiving Prior Approval

There are no new facilities receiving prior approval.

Insignificant Activities

The source also consists of the following insignificant activities, as defined in 326 IAC 2-7-1(21):

- (a) A petroleum fuel, other than gasoline, dispensing facility, having a storage capacity of less than or equal to 10,500 gallons, and dispensing less than or equal to 230,000 gallons per month.
- (b) The following VOC and HAP storage containers: vessels storing lubricating oil, hydraulic oils, machining oils, and machining fluids.
- (c) Equipment used exclusively for the following: Packaging lubricants and greases.
- (d) Paved and unpaved roads and parking lots with public access.
- (e) Emergency generators as follows: Gasoline generators not exceeding 110 horsepower.

Existing Approvals

The source has been operating under previous approvals including, but not limited to, the following:

CP 025-9062-00002, issued January 15, 1998.

All conditions from previous approvals were incorporated into this Part 70 permit except the following:

CP 025-9062-00002, issued January 15, 1998

Condition No.8: The No. 2 distillate fuel oil usage of this portable secondary crushing plant specifically the intermittent electric generator shall be limited to 126,300 gallons per 365 consecutive day period rolled on a daily basis. This fuel usage limitation is equivalent to 39 tons per 365 consecutive day period rolled on a daily basis. Therefore, the Prevention of Significant Deterioration (PSD) rules, 326 IAC 2-2 and 40 CFR 62.21 shall not apply.

Reason not incorporated: The TSD for this permit on page 4 of 7 stated that the source was an existing major PSD source based upon a 5,785 ton per year PM emission rate and a 2,755 ton per year PM₁₀ emission rate obtained from the July 1997 AIRS Facility Quick Look Report. The PSD definition for this source should not have included the potential fugitive emissions after controls. The current Part 70 calculations show the same order of magnitude for all emission units at the four (4) plants at this source if one considers the potential PM and PM₁₀ emission rates before controls for fugitives as well as nonfugitives. Since the PSD definition for this source does not include fugitive emissions, this entire source should not have been classified as an existing major PSD source. The total potential nonfugitive PM and PM₁₀ emissions after controls from the entire source are 73.9 and 36.8 tons per year, respectively. Therefore, Condition No 8 which limited NO_x emissions to less than 40 tons per year has been changed to limit the fuel usage from this intermittent electric generator to 442,043 gallons per year equivalent to 99.0 tons of NO_x per year. The potential NO_x emissions from the intermittent electric generator are 104 tons per year as shown on page 1 of 7 of Appendix A. The portable plant will be limited to relocation in non-attainment counties, but not in the severe nonattainment ozone counties of Lake and Porter. In addition, the source has requested a monthly limit of 36,836.9 gallons rather than a 365 consecutive day period of 442,043 gallons.

Enforcement Issue

There are no enforcement actions pending.

Recommendation

The staff recommends to the Commissioner that the Part 70 permit be approved. This recommendation is based on the following facts and conditions:

Unless otherwise stated, information used in this review was derived from the application and additional information submitted by the applicant.

An administratively complete Part 70 permit application for the purposes of this review was received on December 11, 1996. Additional information was received on August 20, 1998 and March 1 and 11, 1999.

A notice of completeness letter was mailed to the source on January 15, 1997.

Emission Calculations

See pages 1 - 7 of Appendix A of this document for detailed emissions calculations.

Potential To Emit

Pursuant to 326 IAC 2-1.1-1(16), Potential to Emit is defined as “the maximum capacity of a stationary source to emit any air pollutant under its physical and operational design. Any physical or operational limitation on the capacity of a source to emit an air pollutant, including air pollution control equipment and restrictions on hours of operation or type or amount of material combusted, stored, or processed shall be treated as part of its design if the limitation is enforceable by the U.S. EPA.”

	Potential To Emit (tons/year)
Pollutant	Portable Plant 2
PM	410
PM ₁₀	156
SO ₂	16.2
VOC	2.92
CO	27.6
NO _x	103.7

Note: For the purpose of determining Title V applicability for particulates, PM₁₀, not PM, is the regulated pollutant in consideration.

HAPs	Potential To Emit (tons/year)
TOTAL	Negligible

(a) The potential to emit (as defined in 326 IAC 2-1.1-1(16)) of PM₁₀ and NO_x are equal to or greater than 100 tons per year. Therefore, the source is subject to the provisions of 326 IAC 2-7.

(b) Fugitive Emissions

Since this type of operation is not one of the twenty-eight (28) listed source categories under 326 IAC 2-2 and since there are no applicable New Source Performance Standards (NSPS) that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability. Note NSPS Subpart OOO which applies to certain emission units was not effective until August 31, 1983.

Actual Emissions

The following table shows the actual emissions from the source. This information reflects the 1997 OAM emission data.

Pollutant	Actual Emissions (tons/year)
PM	347
PM ₁₀	147
SO ₂	0.00
VOC	0.00
CO	0.00
NO _x	0.00
HAP	0.00

The actual emissions are for the portable plant plus the equipment covered in T 025-7484-00002.

Limited Potential to Emit

The table below summarizes the total potential to emit, reflecting all limits, of the significant emission units.

	Limited Potential to Emit (tons/year)						
Process/facility	PM	PM ₁₀	SO ₂	VOC	CO	NO _x	HAPS
Portable Plant 2	6.74	3.21	0.00	0.00	0.00	0.00	0.00
Portable Plant 2 Intermittent Electric Generator	3.09	1.78	15.5	2.79	26.3	99.0*	0.100
Insignificant Activities	0.500	0.500	0.00	0.250	0.00	0.00	0.250
Total Emissions	10.3	5.49	15.5	3.04	26.3	99.0	0.350

- * The intermittent electrical generator at Portable Plant 2 has agreed to limit the fuel usage to 442,043 gallons of No. 2 oil equivalent to 99.0 tons of NO_x per year to avoid the applicability of 326 IAC 2-3 in order to be able to be relocated to a nonattainment ozone area.

County Attainment Status

The source is located in Crawford County.

Pollutant	Status
PM ₁₀	attainment
SO ₂	attainment
NO ₂	attainment
Ozone	attainment
CO	attainment
Lead	attainment

Volatile organic compounds (VOC) and oxides of nitrogen (NO_x) are precursors for the formation of ozone. Therefore, VOC and NO_x emissions are considered when evaluating the rule applicability relating to the ozone standards. Crawford County has been designated as attainment or unclassified for ozone.

Portable Plant 2

(a) Initial Location

This is a portable plant and its initial location is RR1, Box 222, Alton County Road, Leavenworth, Indiana 47137. At this time it is considered as a separate source (Plant ID 025-05199) with Mulzer Crushed Stone, Inc. (Plant ID 025-00002) because it is located in the same location.

(b) PSD and Emission Offset Requirements

The emissions from this portable plant were reviewed under the requirements of the Prevention of Significant Deterioration (PSD), 326 IAC 2-2, 40 CFR 52.21, and Emission Offset, 326 IAC 2-3.

(c) Fugitive Emissions

Since this type of operation is not one of the twenty-eight (28) listed sources under 326 IAC 2-2 and since there are no applicable New Source Performance Standards that were in effect on August 7, 1980, the fugitive particulate matter (PM) and volatile organic compound (VOC) emissions are not counted toward determination of PSD and Emission Offset applicability.

Federal Rule Applicability

(a) The limestone facilities constructed after August 31, 1983 at this portable plant are subject to the New Source Performance Standard 326 IAC 12, 40 CFR Parts 60.670 through 60.676, Subpart OOO. This rule requires the particulate emissions from:

- (1) The crushing operation (AI 1402) is limited to fifteen percent (15%) opacity or less, and
- (2) The screening (AK 1404) and conveying (AJ 1420 - 1422, 1430 and 1433) operations are limited to ten percent (10%) opacity or less.
- (3) Pursuant to CP 025-9062-00002 issued January 15, 1998, nonfugitive emissions from crushing, screening and conveying shall be controlled by utilizing a continuous wet suppression system in order to meet the requirements of the New Source Performance Standards, 326 IAC 12 and 40 CFR 60.670 through 60.676, Subpart OOO specified in Condition D.1.3.

(b) There are no National Emission Standards for Hazardous Air Pollutants (NESHAPs) (326 IAC 14 and 40 CFR Part 63) applicable to this source.

State Rule Applicability - Entire Source

326 IAC 2-3 (Emission Offset)

The intermittent electrical generator at Portable Plant 2 has agreed to limit the fuel usage to 36,836.9 gallons per month of No. 2 oil equivalent to 99.0 tons of NO_x per year to avoid the applicability of 326 IAC 2-3.

326 IAC 2-6 (Emission Reporting)

This source is subject to 326 IAC 2-6 (Emission Reporting), because it has the potential to emit more than one hundred (100) tons per year of PM₁₀ and NO_x. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8) (Emission Statement Operating Year).

326 IAC 5-1 (Opacity)

Since this is a portable plant, pursuant to 326 IAC 5-1-2 (Opacity Limitations), except as provided in 326 IAC 5-1-3 (Temporary Exemptions), opacity shall meet the following, unless otherwise stated in the proposed permit:

- (a) Opacity shall not exceed an average of thirty percent (30%) any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4 for Portable Plant 2.
- (b) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of fifteen (15) minutes (sixty (60) readings as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor) in a six (6) hour period for Portable Plant 2.

State Rule Applicability - Individual Facilities

326 IAC 2-7-5(13) (Preventive Maintenance Plan)

- (a) The crushing (AI 1402), screening (AK 1404) and conveying (AJ 1420 - 1422, 1430 and 1433) operations subject to NSPS Subpart OOO are required to have a Preventive Maintenance Plan at Portable Plant 2.
- (b) A Preventive Maintenance Plan is required for the intermittent electric generator at Portable Plant 2 because a fuel use limit is required to avoid the requirements of 326 IAC 2-3 (Emission Offset).

326 IAC 2-7-6(1),(6) (Testing Requirements) and NSPS Subpart OOO

During the period between 30 and 36 months after issuance of this permit, the Permittee shall perform opacity testing for all emission units subject to the testing provisions of NSPS Subpart OOO. This test shall be repeated at least once every five (5) years from the date of this valid compliance demonstration. In addition to these requirements, IDEM may require compliance testing when necessary to determine if the facility is in compliance.

326 IAC 6-1 (Nonattainment Area Limitations)

In order to be able to relocate Portable Plant 2 to any nonattainment county designated by 326 IAC 6-1-7, the Portable Plant facilities shall meet the allowable PM emission limitation pursuant to 326 IAC 6-1-2 (a) of 0.03 grains per standard dry cubic feet per minute. However, pursuant to 326 IAC 6-1-2(g), all operations subject to 326 IAC 6-1-2 where the process is totally enclosed and thus it is practical to measure there from shall comply with the PM emission limit. Since it is not practical to measure the grain loading from this portable plant, 326 IAC 6-1-2(g) requires compliance with 326 IAC 2, 326 IAC 5-1 and 326 IAC 6-4.

326 IAC 6-4 (Fugitive Dust Emissions Limitations)

This rule requires that the source not generate fugitive dust to the extent that some portion of the material escapes beyond the property line or boundaries of the property, right-of-way, or easement on which the source is located.

326 IAC 6-5 (Fugitive Particulate Matter Emission Limitations)

Pursuant to CP 025-9062-00002, issued January 15, 1998 and 326 IAC 6-5 (Fugitive Particulate Matter Emissions Limitations), fugitive particulate matter emissions shall be controlled according to the plan submitted on September 30, 1997. This portable secondary crushing plant shall comply with all dust abatement measures contained therein, which includes, but not limited to, applying water on storage piles, unpaved roadways, material loading and unloading operations on an "as-needed" basis such that the following visible emission conditions are met:

- (a) Visible emissions from storage piles shall not exceed twenty percent (20%) opacity in twenty-four (24) consecutive readings in a six (6) minute period. This limitation may not apply during periods when application of control measures are ineffective or unreasonable due to sustained very high wind speeds. The opacity shall be determined using 40 CFR 60, Appendix A, Method 9, except that the opacity shall be observed at approximately four (4) feet from the surface at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.
- (b) Visible emissions from unpaved roadways shall not exceed an average instantaneous opacity of twenty percent (20%). Average instantaneous opacity shall be the average of twelve (12) instantaneous opacity readings, taken for four (4) vehicle passes, consisting of three (3) opacity readings for each vehicle pass. The three (3) opacity readings for each vehicle pass shall be taken as follows:
 - (1) The first will be taken at the time of emission generation.
 - (2) The second will be taken five (5) seconds later.
 - (3) The third will be taken five (5) seconds later or ten (10) seconds after the first.

The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume. Each reading shall be taken approximately four (4) feet above the surface of the unpaved roadway.

- (c) Visible emissions from the material loading and unloading operation shall not exceed an average instantaneous opacity of twenty percent (20%). The average instantaneous

opacity shall be the average of three (3) opacity readings taken five (5) seconds, ten (10) seconds, and fifteen (15) seconds after the end of one (1) material loading or unloading operation. The three (3) readings shall be taken at the point of maximum opacity. The observer shall stand at least fifteen (15) feet, but no more than one-fourth (1/4) mile, from the plume and at approximately right angles to the plume.

326 IAC 7-1.1 (Sulfur Dioxide Emission Limitations)

The No. 2 oil-fired intermittent electric generator rated at 7.4 million British thermal units per hour is exempt from the requirement of this rule because the potential sulfur dioxide emissions are less than twenty-five tons per year and less than ten (10) pounds per hour.

Compliance Requirements

Permits issued under 326 IAC 2-7 are required to ensure that sources can demonstrate compliance with applicable state and federal rules on a more or less continuous basis. All state and federal rules contain compliance provisions, however, these provisions do not always fulfill the requirement for a more or less continuous demonstration. When this occurs IDEM, OAM, in conjunction with the source, must develop specific conditions to satisfy 326 IAC 2-7-5. As a result, compliance requirements are divided into two sections: Compliance Determination Requirements and Compliance Monitoring Requirements.

Compliance Determination Requirements in Section D of the permit are those conditions that are found more or less directly within state and federal rules and the violation of which serves as grounds for enforcement action. If these conditions are not sufficient to demonstrate continuous compliance, they will be supplemented with Compliance Monitoring Requirements, also Section D of the permit. Unlike Compliance Determination Requirements, failure to meet Compliance Monitoring conditions would serve as a trigger for corrective actions and not grounds for enforcement action. However, a violation in relation to a compliance monitoring condition will arise through a source's failure to take the appropriate corrective actions within a specific time period.

The compliance monitoring requirements applicable to this source are as follows:

- (a) The crushed stone processing facilities have applicable compliance monitoring conditions as specified below:

Daily visible emissions notations of the particulate matter emissions from Portable Plant 2 (stone crushing, screening and conveying processes) shall be performed during normal daylight operations. A trained employee will record whether emissions are normal or abnormal. For processes operated continuously "normal" means those conditions prevailing, or expected to prevail, eighty percent (80%) of the time the process is in operation, not counting startup or shut down time. In the case of batch or discontinuous operations, readings shall be taken during that part of the operation that would normally be expected to cause the greatest emissions. A trained employee is an employee who has worked at the plant at least one (1) month and has been trained in the appearance and characteristics of normal visible emissions for that specific process. The Compliance Response Plan for this unit shall contain troubleshooting contingency and response steps for when an abnormal emission is observed.

These monitoring conditions are necessary to ensure compliance with 326 IAC 5-1 (Opacity) and NSPS Subpart OOO and 326 IAC 2-7.

- (b) The intermittent electric generator at Portable Plant 2 has record keeping and reporting requirements to show compliance with the fuel use limit.

These conditions are necessary to ensure compliance with 326 IAC 2-3 (Emission Offset) and 326 IAC 2-7.

Air Toxic Emissions

Indiana presently requests applicants to provide information on emissions of the 188 hazardous air pollutants (HAPS) set out in the Clean Air Act Amendments of 1990. These pollutants are either carcinogenic or otherwise considered toxic and are commonly used by industries. They are listed as air toxics on the Office of Air Management (OAM) Part 70 Application Form GSD-08.

This source will emit levels of air toxics less than those which constitute a major source according to Section 112 of the 1990 Clean Air Act Amendments.

Conclusion

The operation of this portable limestone crushing and processing plant shall be subject to the conditions of the attached proposed Part 70 Permit No. T 025-10885-05199.

Appendix A: Emission Calculations
Internal Combustion Engines - Diesel Fuel
Turbine (>600 HP)

Page 1 of 7 TSD App A

Company Name: Mulzer Crushed Stone, Inc.
Address City IN Zip: RR1, Box 222 Alton County Road, Leavenworth, Indiana 47137
Part 70: T 025-10885
Plt ID: 025-05199
Reviewer: Mark L. Kramer
Date: December 11, 1996

Portable Plant 2

A. Emissions calculated based on heat input capacity (MMBtu/hr)

Intermittent Electric Generator

Heat Input Capacity
MM Btu/hr

S= = WEIGHT % SULFUR

<div>7.4</div>	Fuel Use (gal) 463028.6		Limited Fuel Use (gal) 174107.1 126300				Equivalent to 39.0 TPY of NOx Pursuant to CP 025-9062 with an EF of 4.41 lbs/MMBtu	
Emission Factor in lb/MMBtu	Pollutant							
	PM	PM10	SO2	NOx	VOC	CO		
	0.1	0.0573	0.5 (1.01S)	3.2 *see below	0.1	0.85		
Potential Emission in tons/yr	3.24	1.86	16.2	103.7	2.92	27.6		

*NOx emissions: uncontrolled = 3.2 lb/MMBtu, controlled with ignition timing retard = 1.9 lb/MMBtu
1 gallon of #2 fuel oil has a heating value of 140,000 Btu

B. Emissions calculated based on output rating (hp)

Heat Input Capacity
Horsepower (hp)

Potential Throughput
hp-hr/yr

S= = WEIGHT % SULFUR

<div>0.0</div>	<div>0.0</div>					
Emission Factor in lb/hp-hr	Pollutant					
	PM 0.0007	PM10	SO2 0.0000	NOx 0.000	VOC 0.00071	CO 0.00550
		not provided	(.00809S)	*see below		
Potential Emission in tons/yr	0.0	0.0	0.0	0.0	0.0	0.0

*NOx emission factor: uncontrolled = 0.024 lb/hp-hr, controlled by ignition timing retard = 0.013 lb/hp-hr
Note that the PM10 emission factor in lb/hp-hr is not provided in the Supplement B update of AP-42.
An average conversion factor of 1hp-hr = 7,000Btu is provided below.

Methodology

Potential Throughput (hp-hr/yr) = hp * 8760 hr/yr

Emission Factors are from AP 42 (Supplement B 10/96)Table 3.4-1 and Table 3.4-2

1 hp-hr = 7000 Btu, AP42 (Supplement B 10/96), Table 3.3-1, Footnote a.

Emission (tons/yr) = [Heat input rate (MMBtu/hr) x Emission Factor (lb/MMBtu)] * 8760 hr/yr / (2,000 lb/ton)
Emission (tons/yr) = [Potential Throughput (hp-hr/yr) x Emission Factor (lb/hp-hr)] / (2,000 lb/ton)

**Appendix A: Emission Calculations
Stone Processing**

Page 2 of 7 TSD App A

Company Name:	Mulzer Crushed Stone, Inc.
Address City IN Zip:	RR1, Box 222 Alton County Road, Leavenworth, Indiana 47137
Part 70:	T 025-10885
Plt ID:	025-05199
Reviewer:	Mark L. Kramer
Date:	December 11, 1996

**Portable
Plant 2**

* * emissions before controls * *

(TSP)

Storage		** see page 2 **			0.00 tons/yr
Transporting		** see page 3 **			336.72 tons/yr
Loading & Unloading	390 ton/hr x	0.0016 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	2.76 tons/yr
Crushing (primary)	0 ton/hr x	0.00504 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	0.00 tons/yr
Crushing (secondary)	390 ton/hr x	0.00504 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	8.61 tons/yr
Crushing (tertiary)	0 ton/hr x	0.00504 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	0.00 tons/yr
Screening	390 ton/hr x	0.0315 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	53.81 tons/yr
Conveyor Transfer	390 ton/hr x	0.00294 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	5.02 tons/yr
Total emissions before controls:					406.92 tons/yr

AP-42 Ch.11.2.3 (Fourth edition, no update)
 AP-42 Ch.13.2.2 (Supplement E, 9/98)
 AP-42 Ch.13.2.4 (Fifth edition, 1/95)
 AP-42 Ch.11.19.2 (Fifth edition, 1/95)
 AP-42 Ch.11.19.2 (Fifth edition, 1/95)
 AP-42 Ch.11.19.2 (Fifth edition, 1/95)
 AP-42 Ch.11.19.2 (Fifth edition, 1/95)
 AP-42 Ch.11.19.2 (Fifth edition, 1/95)

* * emissions after controls * *

Storage	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Transporting	336.72 tons/yr x	50% emitted after controls =	168.36 tons/yr
Loading & Unloading	2.76 tons/yr x	100% emitted after controls =	2.76 tons/yr
Crushing (primary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Crushing (secondary)	8.61 tons/yr x	10% emitted after controls =	0.86 tons/yr
Crushing (tertiary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Screening	53.81 tons/yr x	10% emitted after controls =	5.38 tons/yr
Conveying	5.02 tons/yr x	10% emitted after controls =	0.50 tons/yr
Total emissions after controls:			177.86 tons/yr

Mulzer Crushed Stone, Inc.
Leavenworth, Indiana

Page 3 of 7 TSD App A
Part 70 T 025-10885
Plt ID 025-05199

* * fugitive vs. nonfugitive * *

Storage	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Transporting	336.72 tons/yr x	50% emitted after controls =	168.36 tons/yr
Loading / Unloading	2.76 tons/yr x	100% emitted after controls =	2.76 tons/yr
Total fugitive emissions:			171.12 tons/yr
Crushing (primary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Crushing (secondary)	8.61 tons/yr x	10% emitted after controls =	0.86 tons/yr
Crushing (tertiary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Screening	53.81 tons/yr x	10% emitted after controls =	5.38 tons/yr
Conveying:	5.02 tons/yr x	10% emitted after controls =	0.50 tons/yr
Total nonfugitive emissions:			6.74 tons/yr

* * storage * *

Storage emissions, which result from wind erosion, are determined by the following calculations:

$$\begin{aligned} E_f &= 1.7(s/1.5)*(365-p)/235*(f/15) \\ &= 1.85 \text{ lb/acre/day} \\ \text{where } s &= 1.6 \% \text{ silt content of material} \\ p &= 125 \text{ days of rain greater than or equal to 0.01 inches} \\ f &= 15 \% \text{ of wind greater than or equal to 12 mph} \end{aligned}$$

$$\begin{aligned} E_p (\text{storage}) &= E_f * sc * (40 \text{ cuft/ton}) / (2000 \text{ lb/ton}) / (43560 \text{ sqft/acre}) / (25 \text{ ft}) * (365 \text{ day/yr}) \\ &= 0.00 \text{ tons/yr} \\ \text{where } sc &= 0,000 \text{ tons storage capacity} \end{aligned}$$

** unpaved roads **

The following calculations determine the amount of emissions created by unpaved roads, based on 8760 hours of use and AP-42, Ch 13.2.2 (Supplement E, 9/98).

Two methods are provided for calculating emissions. The first does not consider natural mitigation due to precipitation.

$$\begin{aligned} & 7.8 \text{ trip/hr} \times \\ & 0.46 \text{ mile/trip} \times \\ & 2 \text{ (round trip) } \times \\ & 8760 \text{ hr/yr} = 62861.8 \text{ miles per year} \end{aligned}$$

Method 1:

$$E_f = k \left[\frac{(s/12)^{0.8} [(W/3)^b]}{(M/0.2)^c} \right]$$

= 22.11 lb/mile

where k = 10.0 (particle size multiplier for PM-10 (k=10 for PM-30 or TSP))
s = 4.8 mean % silt content of unpaved roads
b = 0.5 Constant for PM-10 (b = 0.5 for PM-30 or TSP)
c = 0.4 Constant for PM-10 (c = 0.4 for PM-30 or TSP)
W = 63.53 tons average vehicle weight
M = 0.2 surface material moisture content, % (default is 0.2 for dry conditions)

$$\frac{22.11 \text{ lb/mi} \times 62861.8 \text{ mi/yr}}{2000 \text{ lb/ton}} = 694.92 \text{ tons/yr}$$

This method has a lower quality rating than Method 1.

Method 2

$$E_f = \left\{ k \left[\frac{(s/12)^{0.8} [(W/3)^b]}{(M_{dry}/0.2)^c} \right] \right\} \left[\frac{365-p}{365} \right]$$

= 10.71 lb/mile

(particle size multiplier for PM-10) (k=10 for PM-30 or TSP)
where k = 10.0
s = 4.8 mean % silt content of unpaved roads
b = 0.4 Constant for PM-10 (b = 0.5 for PM-30 or TSP)
c = 0.3 Constant for PM-10 (c = 0.4 for PM-30 or TSP)
W = 63.53 tons average vehicle weight
M_{dry} = 0.2 surface material moisture content, % (default is 0.2 for dry conditions)
p = 125 number of days with at least 0.254mm of precipitation (See Figure 13.2.2-1)

$$\frac{10.71 \text{ lb/mi} \times 62861.76 \text{ mi/yr}}{2000 \text{ lb/ton}} = 336.72 \text{ tons/yr}$$

** aggregate handling **

The following calculations determine the amount of emissions created by truck loading and unloading of aggregate, based on 8760 hours of use and AP-42, Ch 13.2.4 (Fifth edition, 1/95).

$$E_f = k(0.0032) \left(\frac{U}{5} \right)^{1.3} \left(\frac{M}{2} \right)^{1.4}$$

= 0.0016 lb/ton

where k = 0.74 (particle size multiplier)
U = 10 mile/hr mean wind speed
M = 5 % material moisture content

Appendix A: Emission Calculations
Stone Processing

Page 5 of 7 TSD App A

Company Name:	Mulzer Crushed Stone, Inc.
Address City IN Zip:	RR1, Box 222 Alton County Road, Leavenworth, Indiana 47137
Part 70:	T 025-10885
Plt ID:	025-05199
Reviewer:	Mark L. Kramer
Date:	December 11, 1996

**Portable
Plant 2**

* * emissions before controls * *

(PM-10)

Storage		** see page 2 **			0.00 tons/yr
Transporting		** see page 3 **			118.80 tons/yr
Loading & Unloading	390 ton/hr x	0.0016 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	2.76 tons/yr
Crushing (primary)	0 ton/hr x	0.0024 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	0.00 tons/yr
Crushing (secondary)	390 ton/hr x	0.0024 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	4.10 tons/yr
Crushing (tertiary)	0 ton/hr x	0.0024 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	0.00 tons/yr
Screening	390 ton/hr x	0.015 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	25.62 tons/yr
Conveyor Transfer	390 ton/hr x	0.0014 lb/ton	/ 2000 lb/ton x	8760 hr/yr =	2.39 tons/yr
Total emissions before controls:					153.68 tons/yr

AP-42 Ch.11.2.3 (Fourth edition, no update)
AP-42 Ch.13.2.2 (Supplement E, 9/98)
AP-42 Ch.13.2.4 (Fifth edition, 1/95)
AP-42 Ch.11.19.2 (Fifth edition, 1/95)
AP-42 Ch.11.19.2 (Fifth edition, 1/95)
AP-42 Ch.11.19.2 (Fifth edition, 1/95)
AP-42 Ch.11.19.2 (Fifth edition, 1/95)
AP-42 Ch.11.19.2 (Fifth edition, 1/95)

* * emissions after controls * *

Storage	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Transporting	118.80 tons/yr x	50% emitted after controls =	59.40 tons/yr
Loading & Unloading	2.76 tons/yr x	100% emitted after controls =	2.76 tons/yr
Crushing (primary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Crushing (secondary)	4.10 tons/yr x	10% emitted after controls =	0.41 tons/yr
Crushing (tertiary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Screening	25.62 tons/yr x	10% emitted after controls =	2.56 tons/yr
Conveying	2.39 tons/yr x	10% emitted after controls =	0.24 tons/yr
Total emissions after controls:			65.37 tons/yr

Mulzer Crushed Stone, Inc.
Leavenworth, Indiana

Page 6 of 7 TSD App A
Part 70 T 025-10885
Plt ID 025-05199

* * fugitive vs. nonfugitive * *

Storage	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Transporting	118.80 tons/yr x	50% emitted after controls =	59.40 tons/yr
Loading / Unloading	2.76 tons/yr x	100% emitted after controls =	2.76 tons/yr
Total fugitive emissions:			62.16 tons/yr
Crushing (primary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Crushing (secondary)	4.10 tons/yr x	10% emitted after controls =	0.41 tons/yr
Crushing (tertiary)	0.00 tons/yr x	10% emitted after controls =	0.00 tons/yr
Screening	25.62 tons/yr x	10% emitted after controls =	2.56 tons/yr
Conveying:	2.39 tons/yr x	10% emitted after controls =	0.24 tons/yr
Total nonfugitive emissions:			3.21 tons/yr

* * storage * *

Storage emissions, which result from wind erosion, are determined by the following calculations:

$$E_f = 1.7 \cdot (s/1.5) \cdot (365-p)/235 \cdot (f/15)$$

$$= 1.85 \text{ lb/acre/day}$$

where s = 1.6 % silt content of material

p = 125 days of rain greater than or equal to 0.01 inches

f = 15 % of wind greater than or equal to 12 mph

$$E_p (\text{storage}) = E_f \cdot sc \cdot (40 \text{ cuft/ton}) / (2000 \text{ lb/ton}) / (43560 \text{ sqft/acre}) / (25 \text{ ft}) \cdot (365 \text{ day/yr})$$

$$= 0.00 \text{ tons/yr}$$

where sc = 0 ,000 tons storage capacity

**** unpaved roads ****

The following calculations determine the amount of emissions created by unpaved roads, based on 8760 hours of use and AP-42, Ch 13.2.2 (Supplement E, 9/98). Two methods are provided for calculating emissions. The first does not consider natural mitigation due to precipitation.

$$\begin{aligned} & 7.8 \text{ trip/hr} \times \\ & 0.46 \text{ mile/trip} \times \\ & 2 \text{ (round trip) } \times \\ & 8760 \text{ hr/yr} = 62861.8 \text{ miles per year} \end{aligned}$$

Method 1:

$$E_f = k \cdot [(s/12)^{0.8}] \cdot [(W/3)^b] / [(M/0.2)^c]$$

= 4.24 lb/mile

where k = 2.6 (particle size multiplier for PM-10 (k=10 for PM-30 or TSP))
s = 4.8 mean % silt content of unpaved roads
b = 0.4 Constant for PM-10 (b = 0.5 for PM-30 or TSP)
c = 0.3 Constant for PM-10 (c = 0.4 for PM-30 or TSP)
W = 63.53 tons average vehicle weight
M = 0.2 surface material moisture content, % (default is 0.2 for dry conditions)

$$\frac{4.24 \text{ lb/mi} \times 62861.8 \text{ mi/yr}}{2000 \text{ lb/ton}} = 133.14 \text{ tons/yr}$$

This method has a lower quality rating than Method 1.

Method 2:

$$E_f = \{k \cdot [(s/12)^{0.8}] \cdot [(W/3)^b] / [(M_{dry}/0.2)^c] \cdot [(365-p)/365]\}$$

= 3.78 lb/mile

(particle size multiplier for PM-10) (k=10 for PM-30 or TSP)
where k = 2.6
s = 4.8 mean % silt content of unpaved roads
b = 0.5 Constant for PM-10 (b = 0.5 for PM-30 or TSP)
c = 0.4 Constant for PM-10 (c = 0.4 for PM-30 or TSP)
W = 63.53 tons average vehicle weight
M_{dry} = 0.2 surface material moisture content, % (default is 0.2 for dry conditions)
p = 125 number of days with at least 0.254mm of precipitation (See Figure 13.2.2-1)

$$\frac{3.78 \text{ lb/mi} \times 62861.76 \text{ mi/yr}}{2000 \text{ lb/ton}} = 118.80 \text{ tons/yr}$$

**** aggregate handling ****

The following calculations determine the amount of emissions created by truck loading and unloading of aggregate, based on 8760 hours of use and AP-42, Ch 13.2.4 (Fifth edition, 1/95).

$$E_f = k \cdot (0.0032) \cdot (U/5)^{1.3} / (M/2)^{1.4}$$

= 0.0016 lb/ton

where k = 0.74 (particle size multiplier)
U = 10 mile/hr mean wind speed
M = 5 % material moisture content